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NEW DELHI, SATURDAY, MARCH 30, 1985/CHAITRA 9, 1907

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कर्मिक और प्रशासनिक सुधार विभाग

नई दिल्ली, 14 मार्च, 1985

का.आ. 1284.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस
स्थापन अधिनियम, 1946 (1946 का 26) की धारा 3
द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित
अपराधों को उन अपराधों के रूप में निर्दिष्ट करती है
जिनका अन्वेषण दिल्ली विशेष पुलिस स्थापन द्वारा किया
जायेगा अर्थात् :-

(क) पंजाब स्पेशल पावर्स (प्रेस) एक्ट 1956 (1956
का 38) की धारा 4 और भारतीय तार अधि-
नियम 1885 (1885 का 13) की धारा 23
अधीन दंडनीय, और

(ख) ऊपर उल्लिखित एक या एक से अधिक अपराधों
के संबंध में और उन्हीं तथ्यों से उत्पन्न होने वाले
वैसे ही संव्यवहार के अनुक्रम में, किया गया
कोई अन्य अपराध या उनके संबंध में या उनसे
संस्कृत कोई प्रयत्न, वृष्णरण और षडयंत्र।

[संख्या 228/4/85-ए वी डी-II(I)]

DEPARTMENT OF PERSONNEL & ADMINISTRATIVE
REFORMS

New Delhi, the 14th March, 1985

S.O. 1284.—In exercise of the powers conferred by sec-
tion 3 of the Delhi Special Police Establishment Act, 1946
(25 of 1946), the Central Government hereby specifies the
following offences as the offences which are to be investi-
gated by the Delhi Special Police Establishment, namely:—

(a) Offences punishable under section 4 of the Punjab
Special Powers (Press) Act, 1956 (Punjab Act, 38
of 1956) and section 23 of the Indian Telegraph Act,
1885 (13 of 1885) and

(b) Attempts, abetments and conspiracies in relation to
or in connection with, one or more of the offences
mentioned above and any other offence committed
in the course of the same transaction arising out of
the same facts.

[No. 228/4/85-AVD.II-(I)]

आदेश

का.आ. 1285.—केन्द्रीय सरकार दिल्ली विशेष पुलिस
स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ
पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग
करते हुए, पंजाब सरकार की सहमति से भारतीय दंड संहिता
1860 (1860 का 45) की धारा 124क, 153क, 295क

पंजाब स्पेशल पावर्स (प्रेस) एक्ट, 1956 (पंजाब अधिनियम 1956 का 38) और भारतीय तार अधिनियम, 1885 (1885 का 13) की धारा 23 के अधीन दंडनीय अपराधों के और उक्त अपराधों के संबंध में या उनसे संबंधित प्रयत्नों, दुष्प्रेरणों और षडयंत्रों के तथा पंजाब राज्य में पुलिस थाना, सिविल लाइन्स, अमृतसर के मामले एफ आई आर सं. 267 तारीख 30 जुलाई 1984 की बाबत उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संव्यवहार के अनुक्रम में किये गये किसी अन्य अपराध के अन्वेषण के लिये दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तारण संपूर्ण पंजाब राज्य पर करती है।

[सं. 228/4/85- ए वी जी- II(ii)]

एम. एस. प्रसान अवर सचिव

S.O. 1285.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the Government of Punjab hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Punjab for the investigation of offences punishable under sections 124-A, 153-A, 295-A of the Indian Penal Code, 1860 (45 of 1860), section 4 of the Punjab Special Powers (Press) Act, 1956 (Punjab Act, 38 of 1956) and section 23 of the Indian Telegraph Act, 1885 (13 of 1885) and attempts abetments and conspiracies in relation to or in connection with the said offences and any other offence committed in the course of the same transaction arising out of the same facts in regard to Case FIR No. 267 dated the 30th July, 1984 registered at Police Station, Civil Lines, Amritsar in the State of Punjab.

[No. 228/4/85-AVD.II(II)]

M. S. PRASAD, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 31 जनवरी, 1985

आयकर

का. आ. 1286.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अनुसार में, केन्द्रीय सरकार एतद्वारा श्री गिरधारी लाल को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री गिरधारी लाल द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं. 6121(फा. सं. 398/7/84-आ. क. (ब.)]

बी. ई. अलैक्जेंडर, अवर सचिव।

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 31st January, 1985

INCOME-TAX

S.O. 1286.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri Girdhari Lal

being a gazetted officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri Girdhari Lal takes over charge as Recovery Officer.

[No. 6121 (F. No. 398/7/84-IT(B))]

B.E. ALEXANDER, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 12 मार्च, 1985

का. आ. 1287.—(बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सलाह पर, एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबन्ध इस अधिसूचना के जारी होने की तारीख से 2 वर्ष की अवधि के लिये यूनाइटेड बैंक आफ इंडिया कलकत्ता पर उस सीमा तक लागू नहीं होंगे जहां तक इन उपबन्धों में, इस बैंक का मैसर्स ऐक्मे इलेक्ट्रो इंडस्ट्री प्रा. लि. का 30 प्रतिशत से अधिक शेयर धारिता में गिरवीदार के रूप में संबंध है।

[सं. 15/30/81-बी. ओ.- III]

एम के एम कुट्ट, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 12th March, 1985

S.O. 1287.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply to United Bank of India, Calcutta for a period of two years from the date of the notification insofar as the said provisions prohibit the bank from holding more than 30 per cent shares of M/s. Acme Electro Industries Pvt. Ltd. as pledgee.

[No. 15/30/81-B.O.III]

M. K. M. KUTTY, Under Secy.

नई दिल्ली, 12 मार्च, 1985

का. आ. 1288.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार के आर्थिक कार्य विभाग बैंकिंग प्रभाग की दिनांक 22 जून, 1984 की अधिसूचना सं. का. आ. सं. 414 (ई) (सं. एफ.- 1-7/82-आर. आर. बी.) में निम्नलिखित संशोधन करती है, अर्थात्

उक्त अधिसूचना में "हावड़ा जिला" शब्दों के स्थान पर "हावड़ा और हुगली जिले" शब्द रखे जाएंगे।

[सं. एफ. 1 (19)/83-आर. आर. बी.]

च. वा. मीरचन्दानी, निदेशक

New Delhi, the 12th March, 1985

वर्णिज्य एवं वृत्ति मंत्रालय

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

(सी. जी. 3 अनुभाग)

नई दिल्ली, 15 मार्च, 1985

आदेश

S.O. 1288.—In exercise of the powers conferred by sub-section (1) of section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India Department of Economic Affairs, Banking Division S.O. No. 414(E) (No. F. 1-7/82-RRB) dated the 22nd June, 1984 namely :—

In the said notification for the words "districts of Howrah", the words "district of Howrah & Hooghly" shall be substituted.

[No. F. 1(19)/83-RRB]

C. W. MIRCHANDANI, Director.

नई दिल्ली, 15 मार्च, 1985

का.आ. 1289.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के खण्ड (क) के अनुसरण में केन्द्रीय सरकार भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री आर. सी. सुनेजा को 16 मार्च 1985 से आरम्भ होने वाली और 15 मार्च 1988 को समाप्त होने वाली अवधि के लिए न्यू बैंक आफ इण्डिया के प्रबंध निदेशक के रूप में नियुक्त करती है।

[सं. एफ. 9/12/84-बी.ओ. I(1)]

New Delhi, the 15th March, 1985

S.O. 1289.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R.C. Suneja as the Managing Director of New Bank of India for a period commencing on March 16, 1985 and ending with March 15, 1988.

[No. F. 9/12/84-BO.I(1)]

का.आ. 1290.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 7 के साथ पठित खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री आर. सी. सुनेजा को, जिन्हें 16 मार्च, 1985 से न्यू बैंक आफ इण्डिया के प्रबंध निदेशक के रूप में नियुक्त किया गया है, उसी तारीख से न्यू बैंक आफ इण्डिया के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[सं. एफ. 9/12/84-बी.ओ. I(2)]

एस. एस. हसूरकर, निदेशक

S.O. 1290.—In pursuance of sub-clause (1) of clause 5, read with clause 7 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. C. Suneja, who has been appointed as Managing Director of New Bank of India with effect from March 16, 1985 to be the Chairman of the Board of Directors of New Bank of India with effect from the same date.

[No. F. 9/12/84-BO.I(2)]

S. S. HASURKAR, Director

का.आ. 1291.—मैसर्स हुकमचन्द जूट मिल्स लिमिटेड, कलकत्ता-15, इंडिया एक्सचेंज प्लेस, कलकत्ता-700001 को आई सी आई सी आई विदेशी मुद्रा के अधीन कास्टिक सोडा के विनिर्माण के लिए पूंजीगत माल के आयात हेतु 84,16,100- रुपए (चौरासी लाख सोलह हजार और एक सौ रुपए केवल) के लिए एक आयात लाइसेंस सं. पीसीजी 2094544/एस/डब्ल्यू पी/89/एच/82, दिनांक 11-11-1983 जारी किया गया था। फर्म ने ऊपर उल्लिखित लाइसेंस की बीमा शुल्क प्रयोजन/मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां की अनुलिपि प्रतियां जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां आग में नष्ट हो गई हैं। आगे यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन/मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं की गई थी और इस प्रकार लाइसेंस का मूल्य बिल्कुल भी उपयोग में नहीं लाया गया है।

2. लाइसेंसधारी ने अपने तर्कों के समर्थन में नोटरी पब्लिक, दिल्ली के समक्ष विधिवत शपथ लेते हुए स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है। तदनुसार मैं सन्तुष्ट हूँ कि आयात लाइसेंस सं. पीसीजी 2094544 एस/डब्ल्यू पी/89/एच/82, दिनांक 11-11-1983 की सीमा शुल्क प्रयोजन/मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां आग में फर्म से नष्ट हो गई हैं। यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-कंडिका 9(सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स हुकमचन्द जूट मिल्स लि., कलकत्ता को जारी किए गए लाइसेंस सं. पी/सी जी/2094544/एस/डब्ल्यू पी/89/एच/82, दिनांक 11-11-83 की मूल सीमा शुल्क प्रयोजन/मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां एतद्वारा रद्द की जाती हैं।

3. उक्त लाइसेंस की सीमा शुल्क प्रयोजन मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां की अनुलिपि प्रतियां पार्टी को अलग से जारी की जा रही हैं।

[फाइल नं. सी जी-3/1146/82/19]

एम. एल. भार्गव, उप-मुख्य नियंत्रक,
आयात-निर्यात

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

(C.G. III Section)

New Delhi, the 15th March, 1985.

ORDER

S.O. 1291.—M/s. Hukumchand Jute Mills Limited, Calcutta, 15, India Exchange Place, Calcutta-700001 were granted an Import Licence No. P/CG/2094544/S/WP/89/H/82 dt. 11-11-83 for Rs. 84,16,100 (Rupees eighty four lakhs sixteen thousand and one hundred only) for import of capital goods for the manufacture of Caustic Soda under ICICI foreign exchange loan. The firm has applied for issue of Duplicate copies of Customs Purpose/Exchange Control Purpose copies of the above mentioned licence on the ground that the original Custom Purpose/Exchange Control Purpose copies of the licence have been lost in the fire. It has further been stated that Customs Purpose/Exchange Control Purpose copies of the licence was not registered with any Customs Authorities and as such the value of the licence has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public, Delhi. I am accordingly satisfied that the original Customs Purpose/Exchange Control Purpose copies of import licence No. P/CG/2094544/S/WP/89/H/82 dated 11-11-1983 have been lost in the fire by the firm. In exercise of the powers conferred under sub-clause 9 (cc), of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Custom Purpose/Exchange Control Purpose copies No. P/CG/2094544/S/WP/89/H/82 dt. 11-11-83 issued to M/s. Hukumchand Jute Mills Limited, Calcutta are hereby cancelled.

3. Duplicate Custom Purpose/Exchange Control Purpose copies of the said licence are being issued to the party separately.

[F. No. CG. III/1146/82/19]

M.L. BHARGAVA, Dy. Chief Controller of Imports & Exports

वित्त मंत्रालय

नई दिल्ली 4 फरवरी, 1985,

का. भा. 1292.—राष्ट्रपति भारतीय विदेश सेवा के प्रवर बतनमान के अधिकारी श्री एस. त्रिपाठी को 20 दिसम्बर, 1984 (पूर्वाह्न) से, जिस तारीख से उन्होंने भुवनेश्वर में अपना कार्यभार संभाला प्रतिनियुक्ति के आधार पर भुवनेश्वर में पासपोर्ट अधिकारी के रूप में नियुक्ति करते हैं।

[संख्या सीपीओ 1/85]

सईद अहमद खान
(उप सचिव)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 4th February, 1985

S.O. 1292.—The President is pleased to appoint. Shri S. Tripathi, an officer of the Senior scale of Ind an Foreign Service 'A' as the Passport Officer, Bhubaneswar on deputation basis with effect from the 20th December, 1984 (forenoon), the date from which he assumed charge of his duties at Bhubaneswar.

[No. CPO/1/85]

SAYEED AHMAD KHAN, Dy. Secy.

खाद्य तथा नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)

भारतीय मानक संस्था

नई दिल्ली, 28 फरवरी, 1985

का. भा. 1293.—समय समय पर संशोधित भारतीय मानक संस्था प्रमाणन विज्ञान, 1955 के विनियम 4 के अनुसार भारतीय मान संस्था द्वारा अधिष्ठाित किया जाता है कि उक्त विनियमों के विनियम 3 के उपविनियम (1) के अधीन प्राप्त अधिकारों के अधीन यहां अनुसूची में दिये गये भारतीय मानकों के संशोधन जारी किये गये हैं।

अनुसूची

क्रम संशोधित मानक की संख्या पद संख्या और संख्या	संशोधन की संख्या और तारीख	संशोधन का संक्षिप्त विवरण	संशोधन लागू होने की तारीख
संशोधन की संख्या	संशोधन की संख्या और तारीख	संशोधन का संक्षिप्त विवरण	संशोधन लागू होने की तारीख
(1)	(2)	(3)	(4)
1 IS: 133-1975 इन्सुल की विशिष्टि एस.ओ. 1892 अन्तरंग (क) अन्तर्लेपन (ख) फिनिशिंग, (द्वितीय पुनरीक्षण)	सं. 2 दिसंबर 1981	यह संशोधन संश्लिष्ट प्रोड की ऐसी सामग्री को शामिल करने के लिये जारी किया जा रहा है जिसमें पैलिक एनहाइड्राइड की निर्धारित मात्रा होती है।	1981-12-31
2 IS: 251-1972 सोडा एश तकनीकी की विशिष्टि (द्वितीय पुनरीक्षण)	सं. 2 अक्टूबर 1981	खंड 2.1 और 3.2 के स्थान पर नये खंड रखे गये हैं।	1981-10-31
3 IS: 265-1976 हाइड्रोक्लोरिक अम्ल की विशिष्टि (द्वितीय पुनरीक्षण)	सं. 1 अगस्त 1981	खंड 4-1-1.3 संशोधित किया गया है।	1981-08-31

(1)	(2)	(3)	(4)	(5)	(6)
4. IS: 708—1970 पोटाशियम क्लोराइड, एस. ओ. 886 सं. 1 तकनीकी की विशिष्टि (प्रथम पुनरीक्षण) 1973-03-24 दिसंबर 1981				खंड ए-7.1.1 और खंड ए-7.2 संशोधित किये गये हैं	1981-12-31
5. IS: 737—1974 पिटे एलुमिनियम एस. ओ. 2547 *सं. 1 और एलुमिनियम मिश्रधातुओं, चहूर और पट्टी (सामान्य इंजीनियरी कार्यों के लिये) की विशिष्टि 1977-08-13 दिसंबर 1981				सारणी 2 संशोधित की गयी है	1981-12-31
6. IS: 828—1979 क्रिकेट के बल्लों की एस. ओ. 1584 सं. 1 विशिष्टि (द्वितीय पुनरीक्षण) 1981-10-03 अक्टूबर 1981				पृष्ठ 5 पर आकृति 1 संशोधित की गयी है	1981-10-31
7. IS: 829—1978 हाकी 'स्टिकों की एस. ओ. 2863 सं. 1 विशिष्टि (द्वितीय पुनरीक्षण) 1981-10-17 सितंबर 1981				खंड 2.2 संशोधित किया गया है	1981-09-30
8. IS: 949—1967 दमकल प्रयोग के लिये आपाती टैंडर तथा सामान्य कार्यों के लिये बचाव टैंडर की विशिष्टि (प्रथम पुनरीक्षण) एस. ओ. 2036 सं. 4 1968-06-08 दिसंबर 1981				परिशिष्ट ए की अनौपचारिक सारणी संशोधित की गयी है	1981-12-31
9. IS: 1065—1971 क्लीबिंग पाउडर एस. ओ. 3163 *सं. 1 स्थायी की विशिष्टि (प्रथम पुनरीक्षण) 1973-11-10 नवम्बर 1981				खंड 4.3 के बाद खंड 4.4 जोड़ा गया है	1981-11-30
10. IS: 1200 (भाग 2)—1974 भवन एवं माणरिक इंजीनियरी निर्माण कार्यों के मापन की विधि; भाग 2 कंक्रीट के निर्माण कार्य (तृतीय पुनरीक्षण) एस. ओ. 3994 सं. 1 1976-10-01 दिसंबर 1981				सारणी 1 संशोधित की गयी है	1981-12-31
11. IS: 1392—1971 काच की दूध की बोतलों की विशिष्टि (द्वितीय पुनरीक्षण) सं. 2 दिसंबर 1981				(1) खंड 3.7 की अनौपचारिक सारणी संशोधित की गयी है; और (2) खंड 3.10.1 संशोधित किया गया है	1981-12-31
12. IS: 1705—1972 दूध की बोतलों की टोपियों के लिये एलुमिनियम की पन्नी की विशिष्टि (प्रथम पुनरीक्षण) एस. ओ. 770 सं. 1 1975-03-08 नवम्बर 1981				खंड 6.1 और 6.2 के स्थान पर नये खंड रखे गये हैं	1981-12-30
13. IS: 1855—1977 खानों में बाइंडिंग एस. ओ. 2116 सं. 1 और सवारी खींचने के लिये इस्पात के तार के लड़खार रस्सों की विशिष्टि (प्रथम पुनरीक्षण) 1980-08-09 दिसंबर 1981				खंड 4 संशोधित किया गया है	1981-04-30
14. IS: 1861 (भाग 2)—1977 ध्वंश मिश्रित धरण प्रकार के भूटों में चूना बसाने की मानकशिका; चूना भोलों से (प्रथम पुनरीक्षण) एस. ओ. 3170 सं. 1 1980-11-15 दिसंबर 1981				खंड 4.2 के स्थान पर नया खंड रखा गया है	1981-12-31
15. IS: 1885 (भाग 28)—1972 विद्युत तकनीकी शब्दावली; भाग 2 भाग 28 यंत्र ट्रांसफार्मर एस. ओ. 115 सं. 1 1975-01-11 दिसंबर 1981				खंड 2.3.3 के स्थान पर नया खंड रखा गया है	1981-12-31
16. IS: 1971—1975 एक बैरल वाले हस्तचालित सततबलियक पंप की विशिष्टि (तृतीय पुनरीक्षण) एस. ओ. 1596 *सं. 5 1975-05-19 दिसंबर 1981				(1) खंड 4.1 और 5.13 संशोधित किये गये हैं; (2) (पृष्ठ 9, खंड 5.13) काट दिया गया है और समुसार उसके बाद के खंडों की संख्याएँ बढ़ती गयी हैं; (3) खंड 5.14.1 के स्थान पर नया खंड रखा गया है; और (4) [पृष्ठ 12, खंड 8.1.1(बी) पंक्ति 2] "5.13" को काट दिया गया है	1981-09-30

* भारतीय मानक संस्था प्रमाणन चिह्न योजना के प्रयोजन के लिये; यह संशोधन 1982-05-01 से लागू होगा।

(1)	(2)	(3)	(4)	(5)	(6)
17. IS: 2061—1962 साइकिल के अगले एस. ओ. 2976 सं. 2	सिमेंट की विशिष्टि 1962-09-19	अक्टूबर 1981	खंड 1.1 और आकृति 1 (पृष्ठ 5) के स्थान पर नया खंड और नयी आकृति रखे गये हैं	1981-10-31	
18. IS: 2141—1979 जस्तीकृत स्टे बलयक की विशिष्टि (द्वितीय पुनरीक्षण)		सं. 1 सितंबर 1981	सारणी 1 संशोधित की गयी है	1981-09-30	
19. IS: 2284—1963 प्राकृतिक और संश्लिष्ट सुगंध सामग्रियों की गंध मूल्यांकन विशिष्टि एस. ओ. 1421 1963-05-25	सं. 1 नवंबर 1980		खंड 4.1 के बाद खंड 4.1.1, 4.1.1.1, 4.1.1.2 और 4.1.1.3 जोड़े गये हैं।	1980-11-30	
20. IS: 2442—1963 विण्डघारा से चलने वाले कोइल गैल्वेनोमीटरों की विशिष्टि एस. ओ. 280 1964-01-25	सं. 1 नवंबर 1980		(1) खंड 4.5 के स्थान पर नया खंड रखा गया है	1980-11-30	
			(2) खंड 4.6 संशोधित किया गया है		
			(3) खंड 4.9 के बाद खंड 4.10 जोड़ा गया है		
21. IS: 2449—1963 चांदी आक्साइड की विशिष्टि एस. ओ. 2877 1963-01-12	सं. 1 अक्टूबर 1981		खंड ए-6.1.1 के स्थान पर नया खंड रखा गया है।	1981-10-31	
22. IS: 2897-1965 कुदालों के लिये लकड़ी के हथों की विशिष्टि एस. ओ. 2820 1965-09-11	सं. 1 दिसंबर 1981		खंड 5.2 (बी) के बाद नयी सामग्री (सी) जोड़ी गयी है	1981-12-31	
23. IS: 2974 (भाग 1)—1969 मशीन कीबों के डिजाइन और निर्माण की रीति संहिता, भाग 1 पञ्चाश प्रकार की मशीनों की कीबों (प्रथम पुनरीक्षण) ए. ओ. 3740 1971-10-09	सं. 2 नवम्बर 1981		(1) खंड 5.7.2 और 7.3 संशोधित किये गये हैं और	1981-11-30	
			(2) पृष्ठ 10 पर *चिह्न युक्त पायटिप्पणी के स्थान पर नयी पायटिप्पणी रखी गयी है।		
24. IS: 3078—1976 कताई और डब-लिंग क्रमों के छल्लों की विशिष्टि (तृतीय पुनरीक्षण) एस. ओ. 3823 1979-11-24	सं. 2 नवंबर 1980		सारणी 1 संशोधित की गयी है।	1980-11-30	
25. IS: 3652—1974 पावचलित फुहारों की विशिष्टि (द्वितीय पुनरीक्षण) एस. ओ. 1092 1977-04-09	*सं. 0 6 दिसंबर 1981		(1) (पृष्ठ 9, खंड 5.4)—काटा गया है और बाद के खंडों की संख्याएँ तदनुसार बदली गयी हैं;	1983-12-31	
			(2) खंड 5.7.2 संशोधित किया गया है;		
			(3) (पृष्ठ 9, एक चिह्न युक्त पायटिप्पणी) काटा गया है; और		
			(4) [पृष्ठ 12, खंड 8.1 (बी) पंक्ति 2]—“5-ए” काटा गया है		
26. IS: 3677—1973 ताप रोधन के लिये निर्देश राक एवं स्वीग ऊन की विशिष्टि (प्रथम पुनरीक्षण) एस. ओ. 2669 1975-08-16	सं. 1 अगस्त 1981		खंड 4.2 संशोधित किया गया है	1981-08-31	
27. IS: 3690—1974 ताप रोधन के लिये निर्देश कांच ऊन की विशिष्टि (प्रथम पुनरीक्षण) एस. ओ. 1892 1977-06-11	सं. 1 दिसंबर 1981		खंड 4.2 संशोधित किया गया है	1981-12-31	
28. IS: 4142—1967 डिस्कसकी विशिष्टि एस. ओ. 3336 1967-09-23	सं. 1 अक्टूबर 1981		खंड 2.2 संशोधित किया गया है	1981-10-31	
29. IS: 4185—1967 जेपहार कागज टैपों की विशिष्टि एस. ओ. 4562 1967-12-23	सं. 2 दिसंबर 1981		खंड 2.3.2 के स्थान पर नया खंड रखा गया है।	1981-12-31	
30. IS: 4187—1967 सूत स्पाइ क्रैमों पर इस्तेमाल के लिये बूलों की विशिष्टि एस. ओ. 3673 1967-10-14	सं. 1 दिसंबर 1981		सारणी 1 संशोधित की गयी है।	1981-12-31	
31. IS: 4310—1967 गिरोपरि कर्वण पवों के लिये ठोस कोर वाले चीनी मिट्टी रोधकों की विशिष्टि एस. ओ. 1720 1968-05-18	सं. 2 नवंबर 1981		आकृति 2 और 3 संशोधित की गयी है।	1981-11-30	

* भारतीय मानक संस्था में प्रमाणन चिह्न योजना के प्रयोजनों के लिये, यह संशोधन 1982-05-01 से लागू होगा

(1)	(2)	(3)	(4)	(5)	(6)
32. IS : 4650—1969 काष्ठ ऐरन ब्लॉकों की विशिष्टि	एस.ओ. 3152 1968-09-14	सं. 2 दिसंबर 1981	(1) खंड 2.0, 3.2.1, 3.4 और 8.1 संशोधित किये गए हैं, (2) पृष्ठ 2 पर "+" चिह्नित, पृष्ठ 3 पर "x", "y" और "z" चिह्नित तथा पृष्ठ 8 पर "y" चिह्नित पाद-टिप्पणियों के स्थान पर नया पाद-टिप्पणियां रखी गयी हैं, (3) खंड 3.3 के स्थान पर नया खंड रखा गया है; (4) (पृष्ठ 3, खंड 3.1.2, दूसरा वाक्य) निम्नांकित सामग्री निकाल दी गयी है :— या "अथ कोई दोष जो ऐरन गुटका के जीवन या उपयोगिता को कम करे	1981-12-31	
33. IS : 4738—1980 स्टाटर आप-पेरिस के बैट्रेज के लिये विशिष्टि (प्रथम पुनरीक्षण)		सं. 1 दिसंबर 1981	(1) खंड 5.2 के स्थान पर नया खंड रखा गया है; (2) खंड 5.3 संशोधित किया गया है	1981-12-31	
34. IS : 5133(भाग-1)—1969 बिजली के उपकरणों के घरे में लिये वाक्सों की विशिष्टि भाग 1 इस्पात और हले लोहे के बक्स	एस.ओ. 3929 1969-09-27	सं. 1 दिसंबर 1981	(1) सारणी 1 संशोधित की गयी है (2) खंड 3.7 के अंत में नयी सामग्री जोड़ी गयी है	1981-12-31	
35. IS : 5316—1969 अमोनियम कार्बोनेट एस.ओ. की विशिष्टि	एस.ओ. 1236 1970-04-01	सं. 1 दिसंबर 1981	खंड ए-2.4 के फार्मुला के स्थान पर नया फार्मुला रखा गया है	1981-12-31	
36. IS : 5348—1969 स्टेपल की विशिष्टि		सं. 1 अगस्त 1981	(1) खंड 3.1 के स्थान पर नया खंड रखा गया है (2) पृष्ठ 3 पर "x" चिह्न युक्त पाद-टिप्पणी के स्थान पर नयी पादटिप्पणी रखी गयी है	1981-08-31	
37. IS : 5934—1970 बेलन बैटरियों के लिये चेम्बर और फिलेट रेडियस	एस.ओ. 398 1972-02-05	सं. 1 नवम्बर 1981	खंड 1 और 1.1 संशोधित किये गये हैं	1981-11-30	
38. IS : 5942—1970 फावड़ा के लिये लकड़ों के ब्लॉकों की विशिष्टि	एस.ओ. 1635 1972-07-08	सं. 1 दिसंबर 1981	(1) खंड 0.2, 2.1, 3.1, 3.2 और 6.1 संशोधित किये गये हैं; (2) पृष्ठ 2 और 3 पर "x" चिह्न युक्त पादटिप्पणियों के स्थान पर नयी पादटिप्पणियां रखी गयी हैं; (3) खंड 6.1 के बाद खंड 7 और 7.1 जोड़े गये हैं	1981-12-31	
39. IS : 6100—1971 सोडियम ट्राइपो-सीफास्फेट, निजेल, नकन के की विशिष्टि	एस.ओ. 886 1973-03-24	सं. 1 दिसंबर 1981	(1) पृष्ठ 12, खंड बी-8.0) हटा दिया गया है, और (2) (पृष्ठ 15 से 17, खंड बी-8.2 से बी-8.2.3 तक) हटा दिये गये हैं	1981-12-31	
40. IS : 6172—1979 पाइप ब्रिडियों के लिये ह्यू टेप, समानान्तर, की विशिष्टि (प्रथम पुनरीक्षण)		सं. 1 दिसंबर 1981	खंड 5 के बाद, नया सामग्री 5.1 जोड़ा गया है	1981-12-31	
41. IS : 6356—1978 टूथपेस्ट की विशिष्टि (प्रथम पुनरीक्षण)	एस.ओ. 1550 1981-05-23	सं. 1 दिसंबर 1980	(1) खंड 0.2 सी-5 और सी-5.3.3 संशोधित किये गये हैं, (2) खंड सी-5.2.1 से सी-5.2.12 तक और सी-5.3.2 के स्थान पर नये खंड रखे गये हैं, तथा (3) सारणी 1 संशोधित की गयी है	1980-12-31	
42. IS : 6413—1972 पणुओं के बाल काटने की हस्तकालित कर्तनी की विशिष्टि	एस.ओ. 1265 1979-05-25	सं. 1 दिसंबर 1981	खंड 3.2 के बाद खंड 3.3 जोड़ा गया है	1981-12-31	
43. IS : 6571—1972 न मुहनेवाली पहियेदार कर्सियों की विशिष्टि संस्था-गत माडल	एस.ओ. 2241 1974-08-31	सं. 2 नवम्बर 1981	खंड 5.1 संशोधित किया गया है	1981-10-31	

(1)	(2)	(3)	(4)	(5)	(6)
44. IS : 6642—1972 राज कः मोगरी की विशिष्ट	एस.ओ. 423 1975-02-15	सं. 1 दिसम्बर 1981	(1) खंड 2.1, 3.1 (ए), 3.2 और 5.2 (बी) संशोधित किये गये हैं (2) पृष्ठ 2 पर "+" चिह्न युक्त और पृष्ठ 3 पर "x" एवं "+" चिह्न युक्त पाद टिप्पणियों के स्थान पर नयी पाद टिप्पणियां रखा गया है, तथा (3) पृष्ठ 5 पर परिशिष्ट ए, हटा दिया गया है।	1981-12-31	
45. IS : 7042—1973 बर्फ के बसूपा के बरमा की विशिष्ट	एस.ओ. 2939 1975-09-06	सं. 2 दिसंबर 1981	खंड 4 संशोधित किया गया है	1981-12-31	
46. IS : 7187—1974 आइसक्रीम संकुओं की विशिष्ट	एस.	*सं. 1 जून 1981	(1) खंड 3.1 और 4.1 संशोधित किये गये हैं (2) (पृष्ठ 5, खंड 5.1, पैरि 2—) "कापज" शब्द के बाद एलुमिनियम पन्नी परत) IS : 8970-1978+ के अनुसार) शब्द जोड़े गये हैं (3) पृष्ठ 5 पर "*" चिह्नयुक्त पाद टिप्पणों के बाद "+" चिह्नयुक्त पाद-टिप्पणी जोड़ी गयी है	1981-06-30	
47. IS : 7443—1974 सजिल गराहियों के मारकम निर्धारण के पद्धति	एस.ओ. 1892 1977-06-11	सं. 1 दिसंबर 1981	खंड 5.1.1 संशोधित किया गया है	1981-12-31	
48. IS : 8445—1977 कार्बोक्सेजिम (एमबीसी) तकनीक की विशिष्ट	एस.ओ. 618 1980-03-15	सं. 1 दिसंबर 1981	(1) सारण: 1 संशोधित की गयी है (2) खंड 3.1 और 3.1.1 के स्थान पर नये खंड रखे गये हैं (3) "*" "+" "t" और "S" चिह्नयुक्त पादटिप्पणियों के स्थान पर नया पाद-टिप्पणियां रखा गया है (4) पृष्ठ 6 पर खंड 3.2.1 हटा दिया गया है और बाद के खंड 3.2.2 की संख्या बचस कर 3.2.1 कर दी गयी है	1981-12-31	
49. IS : 8555—1977 रस की विशिष्ट	एस.ओ. 1995 1980-07-26	सं. 1 दिसंबर 1981	(1) खंड 3.2 (ई) संशोधित किया गया है (2) खंड 3.3 (जी) के बाद नयी सामग्री "एच" जोड़ी गयी	1981-12-31	
50. IS : 8844—1978 सोने की चीजों/आभूषणों पर सोने की शुद्धता अंकित करने के मार्गदर्शी सिद्धांत	एस.ओ. 1728 1981-06-13	सं. 1 दिसंबर 1981	खंड 3.1 के स्थान पर नया खंड रखा गया है	1981-12-31	
51. IS : 8855—1978 रिट्रैक्टर के विशिष्ट	एस.ओ. 2064 1981-08-01	सं. 1 दिसंबर 1981	आकृति 1 की अनौपचारिक सारणी संशोधित की गयी है।	1981-12-31	
52. IS : 8921—1978 बरमा निष्कर्षक की विशिष्ट, जूजेट नमूने का	एस.ओ. 2211 1981-08-22	सं. 1 दिसंबर 1981	खंड 4 के स्थान पर नया खंड रखा गया है	1981-11-30	
53. IS : 9071 (भाग 2)—1979 मृगफल में एफलेटाक्सिन नियंत्रण की रीति	एस.ओ. 2584 1981-10-03	सं. 1 दिसंबर 1981	सारणी: 1 संशोधित की गयी है	1981-12-31	
54. IS : 9279—1979 एलुमिनियम का स्फाइड की सुरक्षा संहिता		सं. 1 दिसंबर 1981	खंड 0-2, 0.3, 3.1 और 5.3 संशोधित किये गये हैं	1981-12-33	
55. IS : 9433—1980 मोटरगाड़ियों में इस्तेमाल के लिये पायनों बुजी टाइप के स्विचों की विशिष्ट		सं. 1 दिसंबर 1981	खंड 8.8 संशोधित किया गया है	1981-12-31	
56. IS : 9455—1980 वैद्युतिक गुणधर्मों पर आधारित बनेत अन्नक ग्लासों, मुहीम परतों और फिलों का वर्गीकरण		सं. 1 दिसंबर 1981	(पृष्ठ 4 खंड 0.6 अनौपचारिक सारणी, दूसरा कॉलम ("ए" के सामने) "प्रतिवर्त" शब्द हटा दिया गया है।	1981-12-31	

*भारतीय मानक संस्था प्रमाणन चिह्न योजना के लिए यह संशोधन 1982-04-01 से लागू होगा।

1	2	3	4	5	6
57.	IS : 9744-1981 थियोनाइल क्लो-राइड की सुरक्षा संहिता	सं. 1 दिसंबर 1981	(1) पृष्ठ 2 समिति संरचना पहना कालम, 1981-12-31 नीचे से दूसरे पंक्ति "डा. के. नारायणराव" के स्थान पर "डा. के. नारायणराव" लिखें। (2) खंड 3.1 और 6.1 संशोधित किए गये हैं।		

इन संशोधनों की प्रतियाँ भारतीय मानक संस्था, मानक भवन, 9, बहादुरसाह जकर मार्ग नये दिल्ली-110002 तथा अहमदाबाद, बम्बई, बंगलौर, भोपाल, भुवनेश्वर, कलकत्ता, चंडीगढ़, हैदराबाद, जयपुर, कानपुर, मद्रास, पटना और त्रिवेन्द्रम स्थित उसके शाखा कार्यालयों में उपलब्ध हैं।

[सं. सी एम सी/13 : 5]

MINISTRY OF FOOD AND CIVIL SUPPLIES
(Deptt. of Civil Supplies)

INDIAN STANDARDS INSTITUTION

New Delhi, the 28th February, 1985

S.O.1293.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the amendment	Brief Particulars of the Amendment	Date from which the amendment shall have effect
1	2	3	4	5	6
1.	IS : 133-1975 Specification for enamel, interior (a) undercoating (b) finishing (second revision)	S.O. 1982 dated 1977-06-11	No. 2 December 1981	This amendment is being issued to include synthetic grade of the material when it contains specified quantity of phthalic anhydride.	1981-12-31
2.	IS : 251-1972 Specification for soda ash, technical (second-revision)	S.O. 115 dated 1975-01-11	No. 4 October 1981	Clause 2.1 and 3.2 have been substituted by new ones.	1981-10-31
3.	IS : 265-1976 Specification for hydrochloric acid (second revision)	S.O. 98 dated 1980-01-12	No. 1 August 1981	Clause 4.1.1.3 has been amended	1981-08-31
4.	IS : 708-1970 Specification for potassium chlorate, technical (first revision)	S.O. 886 dated 1973-03-24	No. 1 December 1981	Clauses A-7.1.1 and A-7.2 have been amended	1981-12-31
5.	IS : 737-1974 Specification for wrought aluminium and aluminium alloys, sheet and strip (for general engineering purposes)	S.O. 2547 dated 1977-08-13	*No. 1 December 1981	Table 2 has been amended	1981-12-31
6.	IS : 828-1979 Specification for cricket bats (second revision)	S.O. 2584 dated 1981-10-03	No. 1 October 1981	Figure 1 at page 5 has been amended	1981-10-31
7.	IS : 829-1978 Specification for hockey sticks (second revision)	S.O. 2863 dated 1981-10-17	No. 1 September 1981	Clause 2.2 has been amended	1981-09-30
8.	IS : 949-1967 Specification for emergency tender for fire brigade use and rescue tender for general purposes (first revision)	S.O. 2036 dated 1968-06-08	No. 4 December 1981	Informal table of Appendix A has been amended	1981-12-31
9.	IS : 1065-1971 Specification for bleaching powder, stable (first revision)	S.O. 3163 dated 1973-11-10	†No. 1 November 1981	Clause 4.4 has been added after clause 4.3	1981-11-30
10.	IS : 1200 (Part II)-1974 Method of measurement of building and civil engineering works Part II Concrete Works (third revision)	S.O. 3494 dated 1976-10-02	No. 1 December 1981	Table 1 has been amended	1981-12-31

*For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1982-03-31.

†For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1982-05-01.

1	2	3	4	5	6
11.	IS : 1392-1971 Specification for glass milk bottles (second revision)		No. 2 December 1981	(i) Informal Table of clause 3.7 has been amended and (ii) Clause 3.10.1 has been amended; and	1981-12-31
12.	IS : 1705-1972 Specification for aluminium foil for milk bottle caps (first revision)	S.O. 770 dated 1975-03-08	No. 1 November 1981	Clauses 6.1 and 6.2 have been substituted by new ones	1981-11-30
13.	IS : 1855-1977 Specification for stranded steel wire ropes for winding and man-riding haulages in mines (first revision)	S.O. 2116 dated 1980-08-09	No. 1 April 1981	Table 4 has been amended	1981-04-30
14.	IS : 1861 (Part II)-1977 Guide for manufacture of lime in vertical mixed-feed type kilns Part II From Limeshell (first revision)	S.O. 3170 1980-11-15	No. 1 December 1981	Clause 4.2 has been substituted by a new one	1981-12-31
15.	IS : 1885 (Part XXVII)-1972 Electro-technical vocabulary Part XXVIII Instrument Transformers	S.O. 115 dated 1975-01-11	No. 1 December 1981	Clause 2.3.3 has been substituted by a new one	1981-12-31
16.	IS : 1971-1975 Specification for hand operated continuous single-barrel stirrup pump (third revision)	S.O. 1596 dated 1979-05-19	*No. 5 September 1981	(i) Clauses 4.1 and 5.15 have been amended (ii) (Page 9, clause 5.13)—Delete and renumber the subsequent clauses accordingly; (iii) Clause 5.14.1 has been substituted by a new one; and (iv) [Page 12, clause 8.1.1.(b), line 2]—Delete '5.13'.	1981-09-30
17.	IS : 2061-1962 Specification for bicycle front forks	S.O. 2976 1962-09-29	No. 2 October 1981	Clause 1.1 and Figure 1 (page 5) have been substituted by new ones	1981-10-31
18.	IS : 2141-1979 Specification for galvanized stay strand (second revision)		No. 1 September 1981	Table 1 has been amended	1981-09-30
19.	IS : 2284-1963 Method for alfactory assessment of natural and synthetic perfumery materials	S.O. 1421 dated 1963-05-25	No. 1 November 1980	Clauses 4.1.1, 4.1.1.1, 4.1.1.2 and 4.1.1.3 have been added after clause 4.1	1980-11-30
20.	IS : 2442-1963 Specification for DC moving coil galvanometers	S.O. 230 dated 1964-01-25	No. 1 November 1980	(i) Clause 4.5 has been substituted by a new one (ii) Clause 4.6 has been amended (iii) Clause 4.10 has been added after clause 4.9.	1980-11-30
21.	IS : 2449-1963 Specification for silver oxide	S.O. 2877 dated 1963-10-12	No. 1 October 1981	Clause A-6.1.1 has been substituted by a new one	1981-10-31
22.	IS : 2897-1965 Specification for wooden handles for shovels	S.O. 2820 dated 1965-09-11	No. 1 December 1981	New matter (c) has been added after clause 5.2(b)	1981-12-31
23.	IS : 2974 (Part I)-1969 Code of practice for design and construction of machine foundations Part I Foundations for reciprocating type machines (first-revision)	S.O. 3740 dated 1971-10-09	No. 2 November 1981	(i) Clause 5.7.2 and 7.3 have been amended; and (ii) Foot note with '*' mark at page 10 has been substituted by a new one.	1981-11-30
24.	IS : 3078-1976 Specification for rings for spinning and doubling frames (third-revision)	S.O. 3823 dated 1979-11-24	No. 2 November 1980	Table 1 has been amended	1980-11-30
25.	IS : 3652-1974 Specification for foot sprayer (second revision)	S.O. 1092 dated 1977-04-09	*No. 6 December 1981	(i) (Page 9, clause 5.4)—Delete and renumber subsequent clauses accordingly; (ii) Clause 5.7.2, has been amended; (iii) (Page 9, foot-note with '+' mark)—delete; and (iv) [Page 12, clause 8.1(b) line 2]—Delete '5.4'.	1981-12-31
26.	IS : 3677-1973 Specification for unbonded rock and slay wool for thermal insulation (first revision)	S.O. 2669 dated 1975-08-16	No. 1 August 1981	Clause 4.2 has been amended	1981-08-31

* For purposes of ISI Certification Marks Scheme, this amendment shall come into force with effect from 1982-05-01.

1	2	3	4	5	6
27. IS : 3690-1974 Specification for unbonded glass wool for thermal insulation (first revision)	S.O. 1892 dated 1977-06-11	No. 1 December 1981	Clause 4.2 has been amended		1981-12-31
28. IS : 4142-1967 Specification for discs	S.O. 3336 dated 1967-09-23	No. 1 October 1981	Clause 2.2 has been amended		1981-10-31
29. IS : 4185-1967 Specification for adhesive paper tapes	S.O. 4562-dated 1967-12-23	No. 2 December 1981	Clause 2.3.2 has been substituted by a new one		1981-12-31
30. IS : 4187-1967 Specification for skewers for use on cotton speed frames	S.O. 3673 dated 1967-10-14	No. 1 December 1981	Table 1 has been amended		1981-12-31
31. IS : 4318-1967 Specification for solid core porcelain insulators for overhead traction lines	S.O. 1720 dated 1968-05-18	No. 2 November 1981	Figures 2 and 3 have amended		1981-11-30
32. IS : 4650-1968 Specification for wooden anvil blocks	S.O. 3152 dated 1968-09-14	No. 2 December 1981	(i) Clauses 2.0, 3.2.1, 3.4 and 8.1 have been amended. (ii) Foot-notes with '†' mark (page 2), with '+' '**' and '†' marks (page 3) and with '+' mark (page 8) have been substituted by new ones. (iii) Clause 3.3 has been substituted by a new one. (iv) (Page 3, clause 3.1.2, second sentence)-Delete the following matter: 'or any other defect which would reduce the life or utility of the anvil block.'		1981-12-31
33. IS : 4738-1980 Specification for plaster of paris bandages (first revision)		No. 1 December 1981	(i) Clause 5.2 has been substituted by a new one (ii) Clause 5.3 has been amended		1981-12-31
34. IS : 5133 (Part I)-1969 Specification for boxes for enclosure of electrical accessories Part I Steel and cast iron boxes.	S.O. 3929 dated 1969-09-27	No. 1 December 1981	(i) Table 1 has been amended (ii) New matter has been added at the end of clause 3.7.		1981-12-31
35. IS : 5316-1969 Specification for ammonium carbonate	S.O. 1236 dated 1970-04-04	No. 1 December 1981	Formula of clause A-2.4 has been substituted by a new one		1981-12-31
36. IS : 5348-1969 Specification for staples	-do-	No. 1 August 1981	(i) Clause 3.1 has been substituted by a new one; and (ii) Foot-note with '**' mark at page 3 has been substituted by a new one.		1981-08-31
37. IS : 5934-1970 Chambers and Fillet Radii for rolling bearings	S.O. 398 dated 1972-02-05	No. 1 November 1981	Clauses 1 and 1.1 have been amended		1981-11-30
38. IS : 5942-1970 Specification for wooden handles for powrahs	S.O. 1635 dated 1972-07-08	No. 1 December 1981	(i) Clauses 0.2, 2.1, 3.1, 3.2 and 6.1 have been amended (ii) Foot-notes with '**' mark at pages 2 and 3 have been substituted by new ones; (iii) Clauses 7 and 7.1 have been added after clause 6.1.		1981-12-31
39. IS : 6100-1971 Specification for sodium Tripolyphosphate, anhydrous, technical	S.O. 886 dated 1973-03-24	No. 1 December 1981	(i) (Page 12, clause B-8.0)-Delete ; and (ii) (Pages 15 to 17, clauses B-8.2 to B-8.2.3)-Delete.		1981-12-31
40. IS : 6172-1979 Specification for hand taps for pipe threads, parallel (first-revision)		No. 1 December 1981	New matter 5.1 has been added after clause 5		1981-12-31
41. IS : 6356-1978 Specification for tooth-paste (first revisions)	S.O. 1550 dated 1981-05-23	No. 1 December 1980	(i) Clauses 0.2, C-5 and C-5.3.3 have been amended (ii) Clauses C-5.2.1 to C-5.2.12 and C-5.3.2 have been substituted by new ones; and (iii) Table 1 has been amended		1980-12-31
42. IS : 6413-1972 Specification for clippers, hair, animal, hand operated	S.O. 1265 dated 1974-05-25	No. 1 December 1981	Clause 3.3 has been added after clause 3.2.		1981-12-31
43. IS : 6571-1972 Specification for non-folding wheel chairs, institutional model	S.O. 2241 dated 1974-08-31	No. 2 October 1981	Clause 5.1 has been amended		1981-10-31

1	2	3	4	5	6
44. IS : 6632-1972 Specification for Mason's mallets	S.O. 423 dated 1975-02-15	No. 1 December 1981	(i) Clauses 2.1, 3.1(a), 3.2 and 5.2(b) have been amended (ii) Foot-notes with '+' mark (page 2) and with '**' mark and '+' mark (Page 3) have been substituted by new ones; and (iii) (Page 5, Appendix A)-Delete. Clause 4 has been amended.	1981-12-31	
45. IS : 7042-1973 Specification for carpenters' ratchet brace	S.O. 2939 dated 1975-09-06	No. 2 December 1981		1981-12-31	
46. IS : 7187-1974 Specification for ice-cream cream cones		*No. 1 June 1981	(i) Clauses 3.1 and 4.1 have been amended (ii) (Page 5, clause 5.1, line 2)- Add the words 'aluminium foil laminate' (conforming to IS:8970-1978+) after the word 'paper'. (iii) Foot-note with '+' mark has been added after foot-note with '*' mark (page 5)	1981-06-30	
47. IS : 7443-1974 Method for load rating of worm gears	S.O. 1892 dated 1977-06-11	No. 1 December 1981	Clause 5.1.1 has been amended	1981-12-31	
48. IS : 8445-1977 Specification for carbendazim (MBC), technical	S.O. 618 dated 1980-03-15	No. 1 December 1981	(i) Table 1 has been amended (ii) Clauses 3.1 and 3.1.1 have been substituted by new ones (iii) Foot-notes with '*', '+', '-' and '\$' marks have been substituted by new ones. (iv) (Page 5, clause 3.2.1)-Delete and renumber the subsequent clause '3.2.2' as '3.2.1'.	1981-12-31	
49. IS : 8555-1977 Specification for bread rusks	S.O. 1995 dated 1980-07-26	No. 1 December 1981	(i) clause 3.2 (e) has been amended (ii) New matter (h) has been added after clause 3.3(g)	1981-12-31	
50. IS : 8844-1978 Guidelines for marking purity of gold articles/ornaments	S.O. 1728 dated 1981-06-12	No. 1 December 1981	Clause 3.1 has been substituted by a new one	1981-12-31	
51. IS : 8855-1978 Specification for retractor, Langenbeck's pattern	S.O. 2064 dated 1981-08-01	No. 1 December 1981	Informal table of Fig 1 has been amended.	1981-12-31	
52. IS : 8921-1978 Specification for auger-tractor, Judet's pattern	S.O. 2211 dated 1981-08-22	No. 1 November 1981	Clause 4 has been substituted by a new one	1981-11-30	
53. IS : 9071 (Part II)-1979 Code of practice for control of aflatoxin in groundnut Part II plant storage and processing flour and oil.	S.O. 2584 dated 1981-10-03	No. 1 December 1981	Table 1 has been amended	1981-12-31	
54. IS : 9279-1979 Code of safety for aluminium phosphate		No. 1 December 1981	Clauses 0.2, 0.3, 3.1 and 5.3 have been amended	1981-12-31	
55. IS : 9433-1980 Specification for Piano key type switches for use in automobiles		No. 1 December 1981	Clause 8.8 has been amended	19 81-12-31	
56. IS : 9455-1980 Classification of muscovite mica blocks, thins and films based on electrical properties		No. 1 December 1981	[Page 4, clause 0.6, informal table, second column, against (a) -Delete the word 'percent'	1981-12-31	
57. IS : 9744-1981 Code of safety for thionyl chloride		No. 1 December 1981	(i) (Page 1, Committee composition, first column line 2 from bottom)-Substitute 'DR. K. NARAYANAN RAO' for 'DR. K. NARAYANA RAO' (ii) Clauses 3.1 and 6.1 have been amended.	1981-12-31	

*For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1982-04-01.

Copies of these amendments are available with the Indian Standards Institution, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and also from its branch offices at Ahmedabad, Bombay, Bangalore, Bhopal, Bhubaneswar, Calcutta, Chandigarh, Hyderabad, Jaipur, Kanpur, Madras, Patna and Trivandrum.

का. आ. 1294:--13:2--भारतीय मानक संस्था (प्रमाणन मंथन) नियम एवं उपनियम 1955 के नियम 3 के उपनियम (2) और विनियम 3 के उपविनियम (2) और (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि नीचे अनुसूची में जिन भारतीय मानकों के विवरण दिए गए हैं वे 1982-02-28 को निर्धारित किए गए हैं।

अनुसूची

क्रम संख्या	निर्धारित भारतीय मानक की पदसंख्या और शीर्षक	नए भारतीय मानक द्वारा रद्द किए गए भारतीय मानक यदि कोई हो की पदसंख्या और शीर्षक	टिप्पणी यदि कोई हो
1	2	3	4
1.	IS : 555-1979 विद्युत चालित टेलिफोन और रेगुलेटर की विशिष्टि (तिसरा पुनरीक्षण)	IS 555-1967 विद्युत चालित टेलिफोन और रेगुलेटर की विशिष्टि (दूसरा पुनरीक्षण)	1980-06-30 को स्थापित हुआ।
2.	IS : 722 (भाग 5)-1980 एसी विद्युत मोटर की विशिष्टि भाग 5 सीमित पावर फैक्टरी फैलाव के लिए बोल्ड अम्पियर घंटे मोटर श्रेणी 3.5 (पहला पुनरीक्षण)	IS : 722 (भाग 5)-1965 एसी विद्युत मोटर की विशिष्टि : भाग सीमित पावर फैक्टरी फैलाव के लिए बोल्ड अम्पियर घंटे मोटर	1980-09-30 को स्थापित
3.	IS : 722 (भाग 6)-1980 एसी विद्युत मोटर की विशिष्टि भाग 6 बार-घंटे मोटर श्रेणी 2.5 (पहला पुनरीक्षण)	IS : 722 (भाग 6)-1968 एसी विद्युत मोटर की विशिष्टि भाग 6 बार घंटे मोटर	1990-10-31 को स्थापित हुआ।
4.*	IS : 1051-1980 पावरिथम निचोड़ की विशिष्टि (दूसरा पुनरीक्षण)	IS : 1051-1973 पावरिथम निचोड़ की विशिष्टि (पहला पुनरीक्षण)	1981-10-31 को स्थापित
5.	IS : 1448 (पी-106) 1981 पेट्रोलियम और उसके पदार्थों की परीक्षण विधियाँ: पी-106 अंकुरित भाप टर्बाइन तेलों की वाष्पीकरण अपेक्षा का परीक्षण	---	---
6.	IS : 1606-1979 मोटर गाड़ी लैम्प की विशिष्टि (दूसरा पुनरीक्षण)	IS : 1606-1968 मोटर गाड़ी लैम्प की विशिष्टि (पुनरीक्षण)	1980-05-31 को स्थापित
7.	IS : 2131-1981 घरती के मानकी पैनिटेशन परीक्षण की विधि (पहला पुनरीक्षण)	IS : 2131-1962 घरती के मानक पैनिटेशन परीक्षण की विधि	--
8.	IS : 2807-1981 द्विपकाई की विशिष्टि (पहला पुनरीक्षण)	IS : 2807-1964 द्विपकाई की विशिष्टि	--
9.**	IS : 2834-1981 विद्युत प्रणाली के लिए ग्रान्ट कैपेसिटर की विशिष्टि (पहला पुनरीक्षण)	IS : 2834-1964 विद्युत प्रणाली के लिए ग्रान्ट कैपेसिटर की विशिष्टि	1981-11-30 को स्थापित हुआ
10.	IS : 3059-1981 बन्वरो के वायुयान वाहन की संहिता (पहला पुनरीक्षण)	IS : 3059-1965 बन्वरो के वायुयान वाहन की संहिता	---
11.	IS : 3298-1981 जहाज निर्माण के लिए मृदु इस्पात रिबेट छड़ों की विशिष्टि (पहला पुनरीक्षण)	IS : 3298-1965 जहाज निर्माण के लिए मृदु इस्पात रिबेट छड़ों की विशिष्टि	--
12.	IS : 4157 (भाग 1)-1981 रेल सड़क वायुयान या जहाज से घोड़ों, ट्रैक्टरों, खच्चरों और गधों के वाहन की संहिता (पहला पुनरीक्षण)	IS : 4157 (भाग 1)-1967 पशुओं के वाहन की संहिता भाग 1 घोड़ों, ट्रैक्टरों, खच्चरों और गधों का रेल, सड़क और जहाज द्वारा वाहन	--
13.	IS : 4257 (भाग 1)-1981 चीनी के बने ट्रांसफार्मर बुशिंग की क्लैम्प व्यवस्था के परिमाण भाग 1, 12 किबो से 36 किबो बुशिंग के लिए (पहला पुनरीक्षण)	IS : 4257-1967 बुशिंग की क्लैम्प व्यवस्था के परिमाण	---
14.	IS : 4574-1983 घासिक उद्योगों के लिए फ्लोरस्फार की विशिष्टि (पहला पुनरीक्षण)	IS : 4574-1968 घासिक उद्योगों के लिए फ्लोरस्फार की विशिष्टि	--
15.	IS : 5000 (ओडी 32)-1981 सेमी कन्डक्टर संयंत्रों के परिमाण संयंत्र नक्शा ओडी 32	--	--
16.	IS : 5000 (ओडी 33)-1981 सेमी कन्डक्टर संयंत्रों के परिमाण, संयंत्र नक्शा ओडी 33	--	--
17.	IS : 5000 (ओडी 34)-1981 सेमी कन्डक्टर नक्शा ओडी 34	--	--

*भारतीय मानक संस्था प्रमाणीकरण चिन्ह योजना के लिए IS : 1051-1980 के लागू होने की तिथि 1982-09-01 होती।

**भारतीय मानक संस्था प्रमाणीकरण चिन्ह योजना के लिए IS : 2834-1981 लागू होने की तिथि 1982-12-01 होती।

1	2	3	4
18.*	IS : 5420-1981 एमोनिया द्वारा सुरक्षित सौखिन प्राकृतिक रबड़ सेटक्स की विशिष्टि (पहला पुनरीक्षण)	IS : 5430-1969 एमोनिया द्वारा सुरक्षित सौखिन प्राकृतिक रबड़ सेटक्स को विशिष्टि	—
19.	IS : 5689-1981 एकल डरबी जूतों की विशिष्टि (पहला पुनरीक्षण)	IS : 5689-1970 एकल डरबी जूतों की विशिष्टि	—
20.	IS : 5714-1981 अग्नि शमन के लिए खम्बे पाइप हाइड्रेट की विशिष्टि (पहला पुनरीक्षण)	IS : 5714-1970 अग्नि शमन के लिए खम्बे पाइप हाइड्रेट की विशिष्टि	—
21.	IS : 5769-1981 बी-गकल के मशरूम टंगस्टन कार्बाइड नोक वाले कोयला काटने के टूलबर्थ की विशिष्टि (पहला पुनरीक्षण)	IS : 5769-1970 बी-गकल के मशरूम टंगस्टन कार्बाइड नोक वाले कोयला काटने के टूल बर्थ की विशिष्टि	—
22.	IS : 6690-1981 शक्ति टिनर के रोडावेटर के पंखों की विशिष्टि (पहला पुनरीक्षण)	IS : 6690-1972 शक्ति टिनर के रोडावेटर के पंखों की विशिष्टि	—
23.	IS : 7499-1981 प्राकृतिक रबड़ परख के लिए फामूले (पहला पुनरीक्षण)	IS : 7499-1974 प्राकृतिक रबड़ परख के लिए फामूले	—
24.	IS : 8069 (भाग 1)-1981 कीटनाशक दवाइयों के डिब्बाबन्दी के लिए ऊँचे घनत्व की पालोएथाइलीन (एच डी पी ड) की विशिष्टि (भाग 2) बुने हुए बोरे (पहला पुनरीक्षण)	IS : 8069-1976 कीटनाशक दवाइयों के डिब्बाबन्दी के लिए ऊँचे घनत्व की पालो-इथाइलीन (एच डी पी ड) बुने हुए बोरे की विशिष्टि	1981-10-31 को स्थापित हुआ
25.	IS : 8069 (भाग 2)-1981 कीटनाशक दवाइयों के डिब्बाबन्दी के लिए ऊँचे घनत्व की पालोइथाइलीन (एच डी पी ड) की विशिष्टि भाग 2 बुने हुए थैले (पहला पुनरीक्षण)	—	1981-10-31 को स्थापित
26.	IS : 8098 (भाग 2)-1981 मोटर गाड़ी बाड़ी के किनिशिंग की रीति संहिता भाग 2 सवारी कार की रिफिनिशिंग	—	1981-11-30 को स्थापित
27.	IS : 8507 (भाग 2/खण्ड 2)-1981 ठोस इलैक्ट्रोलाइट सहित स्थिर रोधित वायुरहित, सीलड टैन्टेम केपेसिटर की विशिष्टि भाग 2 एफ सी एस टी 1 किस्म की खण्ड 1 पोस्टर	—	—
28.	IS : 9302 (भाग 3)-1981 छवि व्यवस्था संयंत्रों की अपेक्षाएं और माप विधियां भाग 3 माइक्रोफोन	IS : 2748-1964 माइक्रोफोन की माप विधियां	—
29.	IS : 9303 (भाग 10)-1980 छवि व्यवस्था संयंत्रों की अपेक्षाएं और माप विधियां भाग 10 छवि व्यवस्था अंगों के परस्पर योग के लिए बेहतर मैकिंग मूल्य	—	1981-10-31 को स्थापित हुआ
30.	IS : 9499-1980 वैद्युत और चुम्बकीय सर्किट संबंधी रीति रिवाज	—	1981-10-31 को स्थापित हुआ
31.	IS : 9790-1981 डिब्बाबन्दी फीच बीन की विशिष्टि	—	1981-10-31 को स्थापित हुआ
32.	IS : 9809-1981 ट्रंकमाप्ट ग्राहनिंग मशीन के टेस्ट चार्ट	—	—
33.	IS : 9818 (भाग 2)-1981 जमीन जोतने और आपसी खेती संयंत्र संबंधी शब्दावली भाग 2 संयंत्र संबंधी शब्द	—	—
34.	IS : 9822-1981 डिब्बाबन्दी परवल की विशिष्टि	—	1981-9-30 को स्थापित हुआ
35.	IS : 9824-1981 ट्रांसप्यूजन सामग्री एक प्रयोग और अनेक प्रयोग की विशिष्टि	—	1981-11-30 को स्थापित हुआ
36.	IS : 9835-1981 विद्युत व्यवस्था के लिए सरीजि केपेसिटर की विशिष्टि	—	1982-01-31 को स्थापित हुआ
37.	IS : 9841-1981 उर्वरक उद्योग के दूषित पानी की सफाई और निबटान की मार्गदर्शिका	—	1981-11-30 को स्थापित हुआ
38.	IS : 9856-1983 बालू बोने के यंत्र के टेस्ट चार्ट	—	—
39.	IS : 9865-1981 प्रयोगशाला बजन बट्टों की विशिष्टि	—	1981-10-31 को स्थापित हुआ
40.	IS : 9868 (भाग 1)-1981 राष्ट्रीय कैडेट कोर के लिए जूतों की विशिष्टि भाग 1 थल सेना और वायु-सेना अंग के लिए	—	1981-10-31 को स्थापित हुआ

* भारतीय मानक संस्था प्रमाणिकरण बिम्ब योजना के लिए IS : 5430-1981 के मातृ होने की तिथि 1982-07-03 होगी ।

(1)	(2)	(3)	(4)
41. IS : 9868(भाग 2)—1981 राष्ट्रीय कैंडल कोर के लिए चमड़े के जूतों की विशिष्टि भाग 2 नाब सेना अंग के लिए	--	1981-10-31 को स्थापित हुआ	
42. IS : 9868(भाग 3)—1981 राष्ट्रीय कैंडल कोर के लिए चमड़े के जूतों की विशिष्टि भाग 3 सड़कियों के लिए	--	1981-10-31 को स्थापित हुआ।	
43. IS : 9871—1981 लकड़ के ह्व डस्कन और उनके जलवायु अभेद्यता के प्रयोजन का विशिष्टि	--	1981-10-31 को स्थापित	
44. IS : 9882 (भाग 1)—1981 कारों हेच डस्कन के लिए मिनिंग स्क्व का विशिष्टि (भाग 1)—सूखे कारों के हेच	--	1981-09-30 को स्थापित हुआ	
45. IS : 9891 (भाग 1)—1981 2.54 मिमी कान्टेन्ट पिच के रोबिन बोर्ड और प्रिन्ट वायरिंग बोर्ड के लिए रोज फर्निचर के विशिष्टि भाग 1 टेस्ट कार्यक्रम और अपेक्षाएं	--	--	
46. IS : 9899—1981 टोप कोट और कपड़े टांगने का बूट का विशिष्टि	--	--	
47. IS : 9900 (भाग 3)—1981 उच्च दबाव के मरकरी वेपर लैम्प का विशिष्टि भाग 3 लैम्प कैप के परिमाण	--	--	
48. IS : 9900 (भाग 4)—1981 उच्च दबाव के मरकरी वेपर लैम्प का विशिष्टि भाग 4 लैम्प कैप के लिए गो और नो गो	--	1982-01-31 को स्थापित हुआ	
49. IS : 9932—1981 दंत चिकित्सा संबंधी प्रयोगशालाओं के प्रकाश स्तर पर सिफारिशों का विशिष्टि	--	1982-01-31 को स्थापित हुआ	
50. IS : 9936—1981 जहाजरानी में मनीला रस्सी और नायलोन पाल, एम्बर और पार्क प्रोपलान रस्सियों में पारस्परिक संबंध में मार्गदर्शिका	--	--	
51. IS : 9946—1981 फेराइट एरियल राड के लिए बुम्ब-काय अपेक्षाओं के परक्षण	--	1982-01-31 को स्थापित हुआ	
52. IS : 9950—1981 विस्टर नमूने के देखने के लैम्प का विशिष्टि	--	--	
53. IS : 9953—1981 ब्राय प्रेस के ग्लाइडराल मानोस्टेपरेट का विशिष्टि	--	--	
54. IS : 9958—1981 जस्तो अंश नापने का एटोमिक सोसट्रो-फोटोमेट्रिक विधि	--	--	
55. IS : 9961—1981 मोटर गाड़ी का रिबिंग मलाइनों का विशिष्टि	--	--	
56. IS : 9966—1981 जहाजी नेविगेशन के श्रेणी "ब" के चुम्बकीय कम्पास और वाइनेबेल का साधारण अपेक्षाएं	--	1982-01-31 को स्थापित हुआ	
57. IS : 9974 (भाग 1)—1981 उच्च दबाव के सोडियम वेपर लैम्प का विशिष्टि भाग 1 सामान्य अपेक्षाएं और परक्षण	--	1982-01-31 को स्थापित हुआ	
58. IS : 9975 (भाग 1)—1981 ओ रिंग का विशिष्टि भाग 1 परिमाण	--	--	
59. IS : 9978—1981 लैन्डु पल्ला का विशिष्टि	--	--	
60. IS : 9988—1981 डबलरोट व विस्कुट के लिए मोम-युक्त कागज का विशिष्टि	--	--	
61. IS : 9989—1981 जनसाधारण का प्रतिक्रिया के संदर्भ में शोर का अंकना	--	--	
62. IS : 9991—1981 कनेक्ड दूध के डिब्बों का विशिष्टि	--	--	

(1)	(2)	(3)	(4)
63. IS : 9995—1981 पुलिस और अग्निशमकों के अधास्थिक हेलमेट के एडिजर का विशिष्ट		---	1982-01-31 को स्थापित हुआ
64.*IS : 10000 (भाग 7)—1980 आन्तरिक दहन इंजन का परीक्षण विधियां भाग 7 निरन्तर गति इंजन के गवर्निंग परीक्षण और बिजली जेनरेटर्स के लिए इंजन का चयन		---	1981-01-31 को स्थापित हुआ
65. IS : 10000 (भाग II)—1980 आन्तरिक दहन इंजन का परीक्षण विधियां भाग 2 उत्पादक द्वारा ग्राहक को दी जाने वाली सूचना और उत्पादक द्वारा इंजन के साथ दी जाने वाली सूचना		---	** 1981-02-28 स्थापित हुआ
66. IS : 10013 (भाग 2)—1981 जलघुलनशील लकड़ी सुरक्षक पदार्थों का विशिष्ट भाग 2 कापर क्रोम आर्सेनिक (सी सी ए) लकड़ी सुरक्षक		---	---
67. IS : 10013 (भाग 3)—1981 जलघुलनशील लकड़ी सुरक्षक पदार्थों का विशिष्ट भाग 3 कापर क्रोम बोरान (सी सी बी) लकड़ी सुरक्षक		---	---
68. IS : 10013 (भाग 5)—1981 पालेब्यूटाइन रबड़ का परीक्षण विधियां भाग 5 जैल भागांश मापना		---	---
69. IS : 10022—1981 खुले निरों का कोगवार का बेल्टिंग का विशिष्ट		---	---
70. IS : 10023—1981 पर्वतारोहण के लिए एसेन्डर्ज का विशिष्ट		---	---
71. IS : 10024—1981 सुतारों के पालिशिंग रुज का विशिष्ट		---	---
72. IS : 10025—1981 कैनवैस जूतों का तरल (सफेद) पालिश का विशिष्ट		---	---
73. IS : 10026 (भाग 1)—1981 धोलक सहित रोधक ध्वनि का विशिष्ट भाग 1 गव्वावला और साधारण अपेक्षाएं		---	---
74. IS : 10029—1981 मूँटे कन्टेनर वूध की संवेदी मानांकन विधि		---	---
75. IS : 10030—1981 दूध पाउडर की संवेदी मानांकन विधि		---	---
76. IS : 10031—1981 अञ्छावित पोलाकार विद्युत् वाईडिंग तार के लिए टेपर बैरलवार डिल वर स्पूल का विशिष्ट		---	---
77. IS : 10032—1981 फाउंट्री के लिए ऑर्गेनिक नोन्वेक बण्डलर का विशिष्ट		---	---
78. IS : 10033—1981 जिकनि और ग्रेफाइट आधारित क्रोड और सांचा लेपों का विशिष्ट		---	---
79. IS : 10034—1981 फाउंट्री रेत में नमी मात करने वाले उपकरणों का आधारभूत अपेक्षाएं		---	---
80. IS : 10035—1981 धारिषिक फिल्टर प्रयोग के लिये कासा चूर्ण का विशिष्ट		---	---
81. IS : 10038—1981 बाहरी पकाई द्वारा तैयार किये गये रेगुलर पोथों के प्रोटिन आहारों का विशिष्ट		---	---

* भारतय मानक संस्था प्रमाणकरण चिह्न योजना के लिए IS : 10000 (भाग 7)—1980 के चालू होने का तिथि 1982-07-01 होगी ।

** भारतय मानक संस्था प्रमाणकरण चिह्न योजना के लिए IS : 10000 (भाग 2)—1980 के चालू होने का तिथि 1982-07-01 होगी ।

इन भारतय मानकों की प्रतियां बिर्हा के लिये भारतय मानक संस्था, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002 और अहमदाबाद, बम्बई, बंगलौर, भोपाल, भुवनेश्वर, कलकत्ता, मोहाल, हैदराबाद, जयपुर, कानपुर, मद्रास, पटना और सिचेन्द्रम स्थित इसके शाखा कार्यालयों से प्राप्त की जा सकती हैं ।

S. O. 1294 :—In pursuance of sub-rule (2) of Rule 3 and Sub-regulations (2) and (3) of regulation 3 of Indian Standards Institution (Certification Marks) Rules and Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established on 1982-02-28.

SCHEDULE

Sl. No. and Title of the Indian Standards No. Established	No. and Title of the Indian Standards or Standards, if any, superseded by the new Indian Standard	Remarks, if any.
(1)	(2)	(3)
1. IS : 555—1979 Specification for electric table type fans and regulators (Third Revision)	IS : 555—1967 Specification for electric table type fans and regulators (Second Revision)	Established on 1980-06-30
2. IS : 722 (Part-V)—1980 Specification for AC electricity meters Part V Volt-Ampere hour meters for restricted power factor range, class 3.5 (First Revision)	IS : 722 (Part-V)—1965 Specification for AC electricity meters; Part V Volt-ampere hour meters for restricted power factor range	Establishment on 1980-09-30
3. IS : 722 (Part VI)—1980 Specification for AC electricity meters Part VI Var-hour meters, class 2.5 (First Revision)	IS : 722 (Part VI)—1968 Specification for AC electricity meters; Part VI Var-hour meters	Established on 1980-10-31
4. *IS : 1051—1980 Specification for pyrethrum extracts (Second Revision)	IS : 1051—1973 Specification for pyrethrum extracts (First Revision)	Established on 1931-10-31 *For purposes on ISI certification marks scheme; IS : 1051—1980 shall come into force with effect from 1982-09-01
5. IS : 1448 (P : 106)—1981 Methods of test for petroleum and its products (P : 106) Determination of oxidation characteristics of inhibited steam-turbine oils	—	—
6. IS : 1606—1979 Specification for auto-mobile lamps (Second Revision)	IS : 1606—1966 Specification for auto-mobile lamps (Revised)	Established on 1980-05-31
7. IS : 2131—1981 Method for standard penetration test for soils (First Revision)	IS : 2131—1963 Method for standard penetration test for soils	—
8. IS : 2807—1981 Specification for whipcords (First Revision)	IS : 2807—1964 Specification for whipcord	—
9. *IS : 2834—1981 Specification for shunt capacitors for power systems (First Revision)	IS : 2834—1964 Specification for shunt capacitors for power systems	Established on 1981-11-30 *For purposes of ISI Certification Marks Scheme; IS : 2834—1981 shall come into force with effect from 1981-12-01
10. IS : 3059—1981 Code for transport of monkeys by air (First Revision)	IS : 3059—1965 Code for the transport of monkeys by air	—
11. IS : 3298—1981 Specification for mild steel rivet bars for ship building (First Revision)	IS : 3298—1965 Specification for mild steel rivet bars for ship building	—
12. IS : 4157 (Part I)—1981 Code for transport of equines (Horses, Ponies, Mules and Donkeys) by rail, road, air and sea (First Revision)	IS : 4157 (Part I)—1967 Code for the port of livestock : Part I Transport of equines (horses, mules and donkeys) by rail, road and sea	—
13. IS : 4257 (Part I)—1981 Dimensions for clamping arrangements for porcelain transformer bushings Part I for 12 KV to 36 KV bushings (First Revision)	IS : 4257—1967 Dimensions for clamping arrangements for bushings	—

(1)	(2)	(3)	(4)
14. IS : 4574—1981 Specification for fluorspar for use in metallurgical industries (First Revision)	IS : 4574—1968 Specification for fluorspar for use in metallurgical industries	—	—
15. IS : 5000 (OD 32)—1981 Dimensions of semiconductor devices Device outline OD 32	—	—	—
16. IS : 5000 (OD 33)—1981 Dimensions of Semiconductor devices Device outline OD 33	—	—	—
17. IS : 5000 (OD 35)—1981 Dimensions of semiconductor devices Device outline OD 35	—	—	—
18. *IS : 5430—1981 Specification for Ammonia preserved concentrated natural rubber latex (First Revision)	IS : 5430—1969 Specification for ammonia preserved concentrated natural rubber latex	*For purposes of ISI Certification Marks Scheme; IS : 5430—1981 shall come into force with effect from 1982-07-01	—
19. IS : 5689—1981 Specification for ankle derby boots (First Revision)	IS : 5689—1970 Specification for ankle derby boots	—	—
20. IS : 5714—1981 Specification for hydrant stand-pipe for fire fighting (First Revision)	IS : 5714—1970 Specification for hydrant stand-pipe for fire fighting	—	—
21. IS : 5769—1981 Specification for coal cutting tools, mushroom, V-faced, tungsten carbide tipped (First Revision)	IS : 5769—1970 Specification for coal cutting tools, mushroom, V-faced, tungsten carbide tipped	—	—
22. IS : 6690—1981 Specification for blades for rotavator for power tillers (First Revision)	IS : 6690—1972 Specification for rotavator blades for power tillers	—	—
23. IS : 7499—1981 Formulae for evaluation of natural rubber (First Revision)	IS : 7499—1974 Formulae for evaluation of natural rubber	—	—
24. IS : 8069 (Part I)—1981 Specification for high density polyethylene (HDPE) for packing pesticides Part I woven sacks (First Revision)	IS : 8069—1976 Specification for high density polyethylene (HDPE) woven sacks for packing pesticides	Established on 1981-10-31	—
25. IS : 8069 (Part II)—1981 Specification for high density polyethylene (HDPE) for packing pesticides Part II woven bags (First Revision)	-do-	Established on 1981-08-2	—
26. IS : 8098 (Part II)—1981 Code of practice for finishing of automobile bodies Part II refinishing of passenger cars	—	Established on 1981-11-30	—
27. IS : 8507 (Part II./Sec. 1)—1981 Specification for fixed, insulated, hermetically sealed tantalum capacitors with solid electrolyte Part II type FCST 1 Section 1 Polar	—	—	—
28. IS : 9302 (Part III)—1981 Characteristics and methods of measurement for sound system equipment Part III Microphones	IS : 2748—1964 Methods of measurements on microphones	—	—
29. IS : 9392 (Part X)—1980 Characteristics and methods of measurement for sound system equipment; Part X preferred matching values for the interconnection of sound system components	—	Established on 1981-10-31	—
30. IS : 9499—1980 Conventions concerning electric and magnetic circuits.	—	Established on 1981-10-31	—
31. IS : 9790—1981 Specification for canned french beans	—	Established on 1981-09-30	—

(1)	(2)	(3)	(4)
32.	IS : 9809—1981 Test chart for crankshaft grinding machines	—	—
33.	IS : 9818 (Part II)—1981 Glossary of terms relating to tillage and intercultivation equipment Part II terms relating to equipment	—	—
34.	IS : 9822—1981 Specification for canned PARWAL	—	Established on 1981-09-30
35.	IS : 9824—1981 Specification for transfusion equipment, disposable and reusable type	—	Established on 1981-11-30
36.	IS : 9835—1981 Specification for series capacitors for power systems	—	Established on 1982-01-31
37.	IS : 9841—1981 Guide for treatment and disposal of effluents of fertilizer industry	—	Established on 1981-11-30
38.	IS : 9856—1981 Test code for potato planters	—	
39.	IS : 9865—1981 Specification for laboratory weights	—	Established on 1981-10-31
40.	IS : 9868 (Part I)—1981 Specification for leather shoes for national cadet corps part I for army and air wing	—	Established on 1981-10-31
41.	IS : 9868 (Part II)—1981 Specification for leather shoes for national cadet corps part II for naval wing	—	Established on 1981-10-31
42.	IS : 9868 (Part III)—1981 Specification for leather shoes for national cadet corps part III for girls wing	—	Established on 1981-10-31
43.	IS : 9871—1981 Specification for wooden hatch covers and arrangements for their weathertightness	—	Established on 1981-10-31
44.	IS : 9882 (Part I)—1981 Specification for sealing rubber for covers for cargo hatches Part I dry cargo hatches	—	Established on 1981-09-30
45.	IS : 9891 (Part I)—1981 Specification for edge connectors for printed wiring board and insulated board having a contact pitch of 2.54 mm Part I test schedule and requirements	—	—
46.	IS : 9899—1981 Specification for hat, coat and wardrobe hooks	—	—
47.	IS : 9900 (Part III)—1981 Specification for high pressure mercury vapour lamps Part III dimensions of lamp caps	—	
48.	IS : 9900 (Part IV)—1981 Specification for high pressure mercury vapour lamps Part IV 'GO' and 'NO-GO' gauges of lamp caps	—	Established on 1982-01-31
49.	IS : 9932—1981 Specification for recommendations for lighting of dental operatories	—	Established on 1982-01-31
50.	IS : 9936—1981 Guide on equivalence between manila ropes and nylon, polyester and polypropylene ropes for marine purposes	—	—
51.	IS : 9946—1981 Tests for magnetic properties of ferrite aerial rods	—	Established on 1982-01-31
52.	IS : 9950—1981 Specification for clamp, vascular, Wister pattern	—	—

(1)	(2)	(3)	(4)
53. IS : 9953—1981 Specification for glyceryl monostearate, food grade	—	—	—
54. IS : 9958—1981 Atomic absorption spectrophotometric method for determination of zinc	—	—	—
55. IS : 9961—1981 Specification for reversing lights for automobiles	—	—	—
56. IS : 9966—1981 General requirement for magnetic compasses and binnacle, class B for use in sea navigation	—	Established on 1982-01-31	—
57. IS : 9974 (Part I)—1981 Specification for high pressure sodium vapour lamps Part I general requirements and tests	—	Established on 1982-01-31	—
58. 9975 (Part I)—1981 Specification for 'O' rings Part I dimensions	—	—	—
59. IS : 9978—1981 Specification for tendu leaf	—	—	—
60. IS : 9988—1981 Specification for waxed paper for bread and biscuits	—	—	—
61. IS : 9989—1981 Assessment of noise with respect to community response	—	—	—
62. IS : 9991—1981 Specification for condensed milk cans	—	—	—
63. IS : 9995—1981 Specification for visor for non-metal police and fireman's helmets	—	Established on 1982-01-31	—
64. *IS : 10000 (Part VII)—1980 Methods of tests for internal combustion engines Part VII governing tests for constant speed engines and selection of engines for use with electrical generators	—	Established on 1981-01-31 *For purposes of ISI Certification Marks Scheme; IS : 10000 (Part VII)—1980 shall come into force with effect from 1982-07-01	—
65. *IS : 10000 (Part XI)—1980 Methods of tests for internal combustion engines Part XI information to be supplied by the purchaser to the manufacturer and information to be supplied by the manufacturer along with the engine	—	Established on 1981-02-28 *For purposes of ISI Certification Marks Scheme; IS : 10000 (Part XI)—1980 shall come into force with effect from 1982-07-01	—
66. IS : 10013 (Part II)—1981 Specification for water soluble type wood preservative Part II copper-chrome-arsenic (CCA) wood preservative	—	—	—
67. IS : 10013 (Part III)—1981 Specification for water soluble type wood preservatives Part III copper-chrome-boron (CCB) wood preservative	—	—	—
68. IS : 10013 (Part V)—1981 Methods of test for polybutadiene rubbers Part V determination of gel content	—	—	—
69. IS : 10022—1981 Specification for open ended coggd V-belting	—	—	—
70. IS : 10023—1981 Specification for ascenders for mountaineering	—	—	—
71. IS : 10024—1981 Specification for jewellers polishing rouge	—	—	—
72. IS : 10025—1981 Specification for polish, liquid (white), for canvas footwear	—	—	—
73. IS : 10026 (Part I)—1981 Specification for insulating varnishes containing solvents Part I definitions and general requirements	—	—	—

(1)	(2)	(3)	(4)
74. IS : 10029—1981 Method for sensory evaluation of sweetened condensed milk		—	—
75. IS : 10030—1981 Method for sensory evaluation of milk powder		—	—
76. IS : 10031—1981 Specification for taper barrelled delivery spool for covered round electrical winding wires		—	—
77. IS : 10032—1981 Specification for organic no bake binders for use in foundaries		—	—
78. IS : 10033—1981 Specification for zircon and graphite based core and mould washes		—	—
79. IS : 10034—1981 Basic requirements for equipment for determining moisture content in foundry sand		—	—
80. IS : 10035—1981 Specification for bronze powder for metallic filter applications		—	—
81. IS : 10038—1981 Specification for textured plant protein foods prepared by extrusion cooking		—	—

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhawan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and also from its Branch Office at Ahmedabad, Bombay, Bangalore, Bhopal, Bhubneshwar, Calcutta, Mohali, Hyderabad, Jaipur, Kanpur, Madras, Patna & Trivandrum.

[No. CMD/13 : 2]

का. भा. 1295 :—समय समय पर पेशोचित भारतीय मानक संस्था (प्रमाणन बिन्दु) विनियम 1955 के विनियम 8 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिन 81 लाइसेंसों के विवरण नीचे अनुसूची में दिये गये हैं, वे लाइसेंसधारियों को मानक सम्बन्धी मुद्दर लगाने का अधिकार देते हुए, जनवरी, 1982 में स्वीकृत किये गये हैं :

अनुसूची					
क्रम	लाइसेंस संख्या (सी एम एल) सं.	वैधता की अवधि		लाइसेंसधारियों का नाम और पता	लाइसेंस के अधीन वस्तु/प्रक्रिया और सम्बद्ध IS : पर नाम
		से	तक		
(1)	(2)	(3)	(4)	(5)	(6)
1.	सी एम/एल-10256 27 1982-01- 5	82-01-16	83-01-15	फोर्ट ग्लोस्टर इन्डस्ट्रीज लि. (केबिल विभाग), 31 चौखोरी रोड, कलकत्ता-700016	1100 बी तक बालू बोलता के उप-युक्त, 3.3 किबो से 33 किबो तक के क्रॉस लिंक पानीपीन के पीवीसी कवच के केबिल— IS : 7098 (भाग 1)—1977 और IS : 7098 (भाग 2)—1973
2.	सी एम/एल-10257 28 1982-01-005	82-01-16	83-01-15	स्टीलक्रोट प्रा. लि., 3 औद्योगिक विकास क्षेत्र, मिर्धा, विशाखापटनम-530042 (घा. प्र.)	सरचना इस्पात (साधारण गुणता) में रोल करने के लिये बले बिल्ट इंगट और निरंतर बले बिल्ट— IS : 6915—1978
3.	सी एम/एल-10258 29 1982-01-06	82-01-16	83-01-15	पटेल इन्जिनियरिंग मिडिकेट, बमन तेल मिल कम्पाउण्ड, टैगोर रोड, राजकोट-360002 (गुजरात)	चार स्ट्रोक वाले जल, गीलित ऊष्माघर, एक मिलिडर के डीजल इंजन, विस्फोट-निश्चित श्रमता के : निर्गत : 5.88 किबा (8 बी एच पी) गति : 850 आर पी एम गतिग : श्रेणी बी एस एफ सी 280 या किबा बंटा— IS : 1601—1960

(1)	(2)	(2)	(4)	(5)	(6)
4. सी एम/एल-10259 30 1982-01-07	82-01-16	83-01-15	बेन् वीक्स प्रोसेमिंग इन्डस्ट्रीज, 12 ए, कुलरमपल्ली मेन रोड, करुगलपल्ली, सेलम-636 006 (कार्यालय-75 बी करुगलपल्ली, एक्सटेंशन, करुगलपल्ली, सेलम-636 006 (त. ना.))	पेराफोन मोम, किस्म 3— IS : 1654—1974	
5. सी एम/एल-10260 23 1982-01-07	82-01-16	83-01-15	वेक्सोकेम, श्रेणी 3/2, औद्योगिक क्षेत्र, कल्लूगा-770 031 (रुरकीला, जिला मुन्वरगढ़)	पेराफोन मोम, किस्म 3— IS : 4654—1974	
6. सी एम/एल-10261 24 1982-01-08	82-01-16	83-01-15	गुनिवसेल गेन्ट बर्से, 293, पूर्व मोहन नगर, धर्मतसर (पंजाब)	सीमेन्ट ग्रेट्ट प्रोप्रेशनसार— IS : 5410—1969	
7. सी एम/एल-10262 25 1982-01-08	82-01-16	83-01-15	गांधी रिफाइनरीज, 69 ए, औद्योगिक क्षेत्र, नुहाई, आगरा-282 006 (उत्तर प्रदेश)	पेराफोन मोम, किस्म—3 IS : 4654—1974	
8. सी एम/एल-10263 26 1982-01-08	82-01-16	83-01-15	सूर्य केबिल्ज प्रा. लि., गौव ब्र आकबर रेव माडरा, जिला होशियारपुर	1100 वो तक चालू बोल्डता के लिये, एल्युमिनियम चालक वाले पीवीसी रोशन के शीर पीवीसी कवचित व प्रकवचित केबिल— IS : 694—1977	
9. सी एम/एल-10264 27 1982-01-08	82-01-16	83-01-15	मालवा स्टील ट्यूब प्रा. लि., ए-16 औद्योगिक क्षेत्र धर्मतसर, मोहाली (पंजाब)	संरचनात्मक प्रयोग के लिये इस्पात नलियाँ : ग्रेड : आई एस टी 210 कटा : लाइट माप—85 मिमी एन बी तक— IS : 1161—1979	
10. सी एम/एल-10265 28 1982-01-08	82-01-16	83-01-15	प्लान्ट्रोफेव, ए-67, तालकटोरा औद्योगिक क्षेत्र, पञ्जनऊ (उ. प्र.)	1100 वो तक चालू बोल्डता के उप- युक्त पीवीसी रोशन के प्रकवचित केबिल (बाह्य प्रयोग व ग्रुप तापमान प्रयोग छोड़ कर)— IS : 694—1977	
11. सी एम/एल-10266 39 1982-01-08	82-01-16	83-01-15	मुनाइटेड बिनियर मै. कं., 2 गुहवास दस्त गार्डन लेन, कलकत्ता-700 067 कार्यालय : पी-194, बी आई पी रोड, कलकत्ता-700067	प्लास्टर चाय पेटी के पेनल— IS : 10 (भाग 2)—1976	
12. सी एम/एल-10267 30 1982-01-09	82-01-16	83-01-15	सहारनपुर स्टील रोलिंग मिल्ज, देहरादून रोड, सहारनपुर (उ.प्र.)	कन्क्रिट प्रबलन के लिये शीतकृत इस्पात के उच्चतम शक्ति के विकृत छड़— IS : 1786—1979	
13. सी एम/एल-10268 31 1982-01-09	82-01-16	83-01-15	रुक्का केबिल्ज प्रा. लि., औद्योगिक विकास क्षेत्र, चरण 4, पतनबेरू—मेडक जिला (कार्यालय : 2-57), पान बाजार, सिकन्दराबाद (घा. प्र.)	ऊर्ध्वस्थ विद्युत संचारण के लिये जस्सित इस्पात प्रबलित एल्युमिनियम चालक— IS : 398 (भाग 2)—1976	
14. सी एम/एल-10269 32 1982-01-09	82-01-16	83-01-15	भानम मैनुफैक्चरिंग कं., कोडियम-333 126, पूर्व गोदावरी जिला (घा. प्र.)	—प्रयोपरि—	
15. सी एम/एल-10270 23 1982-01-09	82-01-16	83-01-15	एल्युमिनियम इन्डस्ट्रीज लि., रामचन्द्रपुरम, डाकघर सिगमपल्ली, हैदराबाद-500 032 (घा. प्र.)	—प्रयोपरि—	

(1)	(2)	(3)	(4)	(5)	(6)
16. सी एम/एल-10271 26 1982-01-09	82-01-16	83-01-15	बंगाल क्रैरोएलाय एण्ड स्टील लि., प्लॉट नं. 36, डी ब्लॉक, औद्योगिक क्षेत्र, जिला नदिया, (कार्यालय: 46 मी जवाहरलाल नेहरू रोड, ऐचरेस्ट हाउस, बीमबी मंजिल, कलकत्ता-700 071	(रेल डिब्बों के लिये) परतबार प्रिंग बनाने के लिये इस्पात इंगट घोर बिन्द-- IS: 8054--1976	
17. सी एम/एल-10272 27 1982-01-11	82-02-01	83-01-31	नगर नुन एयो और स्टील कार्पोरेशन, के सी बक्श, डाकघर टाडेपल्ली, गुड्डर अिना (ओ. प्र.) (कार्यालय: 27-1-135 एलुड रोड, विजयवाडा-520 002 (ओ. प्र.)	कोशालेन, 35% पायसलोय मांस द्रव-- IS: 8487--1977	
18. सी एम/एल-10273 28 1982-01-12	82-01-16	83-01-15	यू.ए.ए. एन्वायनमेन्ट प्रो. लि., प्लॉट नं. 257 सेक्टर 24, फरीदाबाद (हरियाणा)	द्रवित पेद्रोलियम रीय के लिये धरेनू रीम चूड़े-- IS: 4246--1974	
19. सी एम/एल-10274 29 1982-01-12	82-01-16	83-01-15	मांघी इलेक्ट्रिकल इन्डस्ट्रीज, मो-10, 11 एल. डी. मन्दिर, तिलकनगर मार्केट, नई दिल्ली-110 018	1100 बी तक चालू बोलता के लिये (बाह्य प्रयोग और नोचें तापमान प्रयोग छोड़कर) एन्वियनियम चालक वाले पी सी सी रोशन के फरबर्हित केबिल-- IS: 694--1977	
20. सी एम/एल-10275 30 1982-01-11	82-02-01	83-01-31	लोटस पेस्टोसाइडज, सदारी जिला पाली (राजस्थान)	डाइमियोएट 30 प्रमाण पायसलर में द्रव-- IS: 3903--1975	
21. सी एम/एल-10276 31 1982-01-12	82-02-01	83-01-31	पदगिलबर एयो इन्डस्ट्री 192 वर्तमान नगर, नागपुर-440008 (महाराष्ट्र)	परचालित स्प्रैयर-- IS: 3652--1974	
22. सी एम/एल-10277 32 1982-01-12	82-02-01	83-01-31	-यथोपरित-	हस्तचालित बमबखार नेपसक स्प्रैयर-- IS: 1970 (भाग 1)--1974	
23. सी एम/एल-10278 33 1982-01-12	82-02-01	83-01-31	-यथोपरित-	रॉकर स्प्रैयर-- IS: 3062--1974	
24. सी एम/एल-10279 34 1982-01-12	82-02-01	83-01-31	इन्डस्ट्रीज मिश्रकेंड, (जयपुर इन्जीनियरिंग यूनिट), 7 जितरंजन एवेन्यू कलकत्ता-700 072	माला अनेत्र वेरे. (i) (रोटर रोक किस्म एक आर 2) तीन क्रेश 37 किवा, 660 बी स्विपरिंग प्रेरण मोटर के लिये। (ii) तीन क्रेशी स्विपरिंग प्रेरण मोटर के लिये-- इस नियंत्रक किस्म एक डी 50, क्षमता 120 आम्पियर 660 बी दोनों युग। प्रयोग के लिये-- IS: 2148--1968	
25. सी एम/एल-10280 27 1982-01-12	82-02-01	83-01-31	ओ लथमी कुसिबिल बक्सम, रामवरणाडू डाकघर विजयवाडा 521 108	ममस पदमान के ग्रेड ए आकार के प्रेकाइट कुसिबिल के माप-- IS: 1748--1981	
26. सी एम/एल-10281 28 1982-01-12	82-02-01	83-01-31	जयश्री केविज एण्ड इन्जीनियरिंग बक्सम, कुञ्जनिधियर मेटूर रूम-636 403, (न. ना.)	1100 बी तक चालू बोलता के लिये एन्वियनियम चावक वादे भा सी क्षमता के पी पी सी रोडिअर अहमिनि विद्युत केबिल-- IS: 1554 (भाग 1)--1976	
27. सी एम/एल-10282 29 1982-01-12	82-02-01	83-01-31	मार्कैट इन्डस्ट्रियज ऐन्ड प्रोडिजेज, इन्ड्यू एच-61 मादपुरी औद्योगिक क्षेत्र, चरण-1, नई दिल्ली-110084	कृषि उपयोग में अक्रेटा पन्ना के लिये तीनक्रेशी स्विपरिंग केज प्रेरण मोटर, 3.7 किवा से 7.5 किवा क्षमता नियंत्र और क्षेत्री ए रोशन को-- IS: 7538--1975	

(1)	(2)	(3)	(4)	(5)	(6)
28. सी.एम./एन-10283 30 1982-01-12	82-02-01	83-01-31	दिविन एण्ड कं., 7/74 पालघाट मेन रोड, इधाराओलियम पिरिकु कुनियमूर, कोयम्बतूर-641 008 (कार्यालय: 9-11 नेहरू स्टेडियम, बी. ओ. मो. पार्क कोयम्बतूर-641 018)	1100 बो एमोओ 1200 बो डो सो बो लता तक उपयुक्त स्विचगियर और कस्ट्रो- गियर की कारखाना-निमित्त संयोजन-- IS: 8623--1977	
29. सी.एम./एन-10284 31 1982-01-12	82-02-31	83-01-31	के.न. माइंटिकि प्राइव्जस प्रा. लि. 54 मानवीय रोड 37 ए, लक्ष्मण चौक, देहगाव-243 001 (उ. प्र.)	बिक्रमको यमोदर डीप स्टेम किस्म के- IS: 3053 (भाग 1)-1977	
30. सी.एम./एन-10285 32 1982-01-12	82-02-01	83-01-31	सूर्य केबिन्ज प्रा. लि., गोब और हाकवर रेन माहारा, नकुल बाबोर जिना हागिहारपुर (पंजाब)	1100 बो तक बाबू बो लता के लिये ताँ और एल्यूमिनियम बाबर वाले पाकोसो रोडिन प्रबलित और प्रबलितहिन भारो क्षमता के विद्युत केबिन-- IS: 1554 (भाग 1)-1976	
31. सी.एम./एन-10286 33 1982-01-12	82-02-01	83-01-31	स्टार आयरन वर्क्स प्रा. लि. 8, स्टेगन रोड लिनुआ हाबडा, (कार्यालय: एम्बेसो 1 बी, गेवसीपियर सारणी कलकत्ता-700071	ऊर्ध्वस्थ विद्युत लाइन के लिये 3.33 किमी और तबधिक रोधक फिटिंग IS: 2486 (भाग 1)-1971	
32. सी.एम./एन-10287 34 1982-01-27	82-02-16	83-02-15	नेशनल आयरन एण्ड स्टील कं. लि., थेलूर हाकवर बेधूरमठ हाबडा (प. बं.)	संरचना इस्पात (सारांश गुणता) IS: 1977-1975	
33. सी.एम./एन-10288 35 1982-01-27	82-02-01	83-01-31	इन्डियन आयरन एण्ड स्टील कं. लि. (गोवाय इन्डस्ट्रियल कार्पोरेशन, 12 पी टी प्रार माइंटिकि कोल डिपो, शास्त्री- मार डार) (कार्यालय: 50 चीरंगी रोड, कलकत्ता- 700071)	कम्प्रीट प्रबलन के लिये शीतकृत इस्पात ऊर्ध्व शक्ति के विरूपित छड़-- IS: 1786--1979	
34. सी.एम./एन-10289 36 1982-01-27	82-02-16	83-02-15	कनिमो स्टील रोलिंग वर्क्स, 613, बी टी रोड, अमरपाड़ा, 24 परगना (प. बं.)	संरचना इस्पात (मानका गुणता)-- IS: 226--1975	
35. सी.एम./एन-10290 29 1982-01-27	82-02-16	83-02-15	—यथापरि—	कम्प्रीट प्रबलन के लिये शीतकृत इस्पात के उच्च शक्ति के विरूपित छड़-- IS: 1786--1979	
36. सी.एम./एन-10291 30 1982-01-27	82-02-16	83-02-15	गोदावरी एनेबिडुवाल कन्वर्टर, कोटियम- 533126 पूर्व गोदावरी जिला (आ. प्र.)	ऊर्ध्वस्थ संचारण के लिये जस्तिन इस्पात द्राग प्रबलित एल्यूमिनियम बालक-- IS: 398 (भाग 2)--1976	
37. सी.एम./एन-10292 31 1982-01-27	82-02-16	83-02-15	अमरावती इलेक्ट्रोड प्रा. लि. डी 4 और डी 5, एपी आई.टी. अटोमोटर, विजावा- पटनध (कार्यालय: 48-19-3, टी.एम. एन कॉलोनी, विजावापटनध)	संरचना इस्पात की मेटल आर्क वेल्डिंग के लिये लके इलेक्ट्रोड, साधारण प्रवेग किस्म के:	
				आदि	कोड संख्या
				परिचय	ई. 201411
				IS: 814 (भाग 1 और 2)--1974	
38. सी.एम./एन-10293 32 1982-01-27	82-01-16	83-02-15	जिना एल्यूमिनियम, 67 नैस्टर ए. मोची- निक क्षेत्र, मुकुनिवा ज्योम-452003 (ग. प्र.) (कार्यालय: 18 अकन बाग, छन्दौर- 450002. (ग. प्र.)	18 लि समई के वर्गाकार टिन-- IS: 916--1975	

(1)	(2)	(3)	(4)	(5)	(6)
39. सी एम/एल-10294 33 1982-01-27	82-02-16	83-02-15	बीना कैमिकल्स, इ-36, माधुधर औद्योगिक क्षेत्र, फेज-2, बमनी, जोधपुर-342001 (राजस्थान)	पेराफीन मोम, किस्म 3, IS : 4654—1974	
40. सी एम/एल-10295 34 1982-01-27	82-02-16	83-02-15	एलब्राइट मोरारजी एण्ड पण्डित लि.; एम आई डी सी एरिया, प्लॉट नं० 103 और 104, गांधी घातव, नाल्पुका रोड-402109 (जिला राय-गढ़ कार्यालय : राजमहल, तीसरी मंजिल, 84 बीर बरिमत रोड, बम्बई)	ग्लासी सोडियम मेटाफोस्फेट तकनीकी, ग्रेड 1 और 2— IS : 574—1980	
41. सी एम/एल-10296 35 1982-01-27	82-02-16	83-02-15	ट्रॉपिकल एग्रोस्टिडम्स प्रा. लि., 530/2 बी, वनप्रम रोड, अम्बाला, मद्रास-600058 (कार्यालय 118, दूसरी मंजिल, ब्राडवे, मद्रास-600001)	जिनेब, 75% जलविसर्जनीय सॉल्वेंट चूर्ण— IS : 3899—1966	
42. सी एम/एल-10297 36 1982-01-27	82-02-16	83-02-15	मेटल एक्सट्रैक्शन, 67—72, मुवर्शनपुरा औद्योगिक क्षेत्र, जयपुर-302006 (राजस्थान)	पेराफीन मोम, किस्म 3— IS : 4654—1974	
43. सी एम/एल-10298 37 1982-01-27	82-02-16	83-02-15	बापे फार्मा, 11 ए वीबी रोड, कुद्वलूर-607001 (त. ना.)	शेम्पू, संश्लेषित डिटरजेंट पर आधारित, तरल— IS : 7884—1978	
44. सी एम/एल-10299 38 1982-01-27	82-02-16	83-02-15	प्रेसिशन इन्डस्ट्रीज, 24, प्रपट्टीन गेस्टेट, पंकी औद्योगिक क्षेत्र, कानपुर-208002	घरेलू किस्म के पानी के मीटर, किस्मए (गोले डायल के), माप 15 मिमी IS : 779—1978	
45. सी एम/एल-10300 14 1982-01-27	82-02-16	83-02-15	जयराज एण्ड सन्स, काफा महल, अलीगढ़ (उ.प्र.) (कार्यालय : राम निवास, कृष्ण स्ट्रीट, अलीगढ़-202001) (उ.प्र.)	छपका, किस्म 2, माप 40 मिमी, 50 मिमी 65 मिमी और 75 मिमी— IS : 275—1961	
46. सी एम/एल-10301 15 1982-01-17	82-02-16	83-02-15	रंका केबिल्स, प्रा. लि. यूनिट नं. 2, औद्योगिक क्षेत्र के पास, डाक बक्स नं. 45, कुद्वलूर-516001	ऊर्ध्वस्थ संचारण के लिये अस्तित्व इस्पात प्रबलित एल्युमिनियम चालक— IS : 398 (भाग 2)—1976	
47. सी एम/एल-10302 16 1982-01-27	82-02-16	83-02-15	आंध्र इन्डस्ट्रियल वर्क्स, सी-2 औद्योगिक क्षेत्र, कुद्वलूर-516004	—यथोपरि—	
48. सी एम/एल-10303 17 1982-01-27	82-02-16	83-02-15	बंगलीर केबिल्स, प्रा. लि. 11 वां किलोमीटर, होमूर रोड, बंगलीर-560068	—यथोपरि—	
49. सी एम/एल-10304 18 1982-01-28	81-12-01	82-11-30	कनकनारा कॉ. लि., डाकघर कनकनारा, 24 परगना (प.ब.) (कार्यालय : 4 कलाइय रो, कलकत्ता-700001)	पटसन बोरे— IS : 3790—1971	
50. सी एम/एल-10305 19 1982-01-28	82-02-16	83-02-15	मुन्ना कैम गांधी रवेली, गजबेल नाल्पुका, जिला मेरठ (आ.प्र.) (कार्यालय : 1-1-535 गांधी नगर, बकस, हैदराबाद-500380) (आ.प्र.)	तेल, हाइड्रालिक, खनिज तेल किस्म का, केवल ग्रेड 5— IS : 3098—1975	
51. सी एम/एल-10306 20 1982-01-28	82-02-16	83-02-15	यूनाइटेड मोल्डिंग वर्क्स, कोकर औद्योगिक क्षेत्र, रांची (बिहार) (कार्यालय : 149 हजारीबाग रोड, लालपुरा, रांची-834001 (बिहार)	सांचे में ढले डीम रबर के सोल और हील, किस्म 1, मापे माप— IS : 5676—1970	
52. सी एम/एल-10307 21 1982-01-28	81-12-01	82-11-30	नेशनल ग्रूट सैन्ट्रल कार्पोरेशन, यूनिट : कनिंसन, जिला टीटागढ़, 24 परगना (प. ब.) (कार्यालय : चार्टर्ड बैंक बिल्डिंग, कलकत्ता-700001)	पटसन बोरे— IS : 3790—1971	

(1)	(2)	(3)	(4)
53. सी एम/एल-10308 22 1982-01-28	82-02-16	83-02-15 मोती इन्डस्ट्रीज एण्ड इन्जिनियरिंग वर्क्स; ब्रवित पेट्रोमियम गैस के लिये घरेलू बी/2 कलमासेरी पंचायत, नेशनल राष्‍ट्रमार्ग एडाप्पल्ली कोचीन-682024 (केरल)	गैस ब्लूहू— IS : 4246—1978
54. सी एम/एल-10309 23 1982-01-29	82-01-16	83-01-15 कलकत्ता लेमिनेटज प्रा. लि., 43/1 गार्डन रीच रोड, गेट नं. 3, कलकत्ता-14 (कार्यालय : 10 कलाइव रोड, पट्टसी मंजिल, कलकत्ता)	3809 ग्रा/मी 2, 68×39 (14 औंस/45 इंच, 8×10) त्रिपासी कपड़े से बने उर्वरक भरार्ई के परतदार पटसन बोरे— IS : 7406—1980
55. सी एम/एल-10310 16 1982-01-29	82-02-16	83-02-15 नाइहट्टी जूट मिलज कं. लि., झाकषर हाजीनगर, जिला 24 परगना (प.ब.) (कार्यालय : 7 हेयर स्ट्रीट, कलकत्ता-700001)	एन्टिजन पटसन बोरे— IS : 1943—1964
56. सी एम/एल-10311 17 1982-01-29	82-02-16	83-02-15 ईस्टर्न कैमिकल इन्डस्ट्रीज, जैसोर, राँड, मध्यप्राम-743275 (प.ब.)	एन्डोसल्फान पायसनीय सांद्रित द्रव— IS : 4323—1980
57. सी एम/एल-10312 18 1982-01-29	82-02-16	83-02-15 इन्डस्ट्रियल मिनरल्स एण्ड कैमिकल्स कं. प्रा. लि., अन्धेरी कुरला रोड, चकाला, बम्बई-400093	ब्यूटाक्लोर, 50- पायसनीय सांद्रित द्रव— IS : 9356—1980
58. सी एम/एल-10313 19 1982-01-29	82-02-16	83-02-15 भारत पल्बराइजिंग मिलज प्रा. लि., अन्धेरी कुरला रोड, चकाला, अन्धेरी पूर्व, बम्बई, (कार्यालय : श्रीनिकेतन, 14 विवन्ड रोड, बम्बई-400020)	ब्यूटाक्लोर पायसनीय सांद्रित द्रव— IS : 9356—1980
59. सी एम/एल-10314 20 1982-01-29	82-02-01	83-01-31 पर्ल फूड प्रॉडक्ट्स, इरमल्लूर-688537 एलप्पी जिला (केरल)	विस्फोट, केवल ग्लूकोज किस्म के— IS : 1011—1981
60. सी एम/एल-10315 21 1982-01-29	82-02-16	83-02-15 शिवालिक एग्रो कैमिकल्स, बी 59, पेज 7, एस ए एम नगर, मोहाली, जिला रोपड़ (पंजाब)	गामा बी एच सी (लिस्डेन), 20% पायसनीय सांद्रित द्रव, IS : 632—1978
61. सी एम/एल-10316 22 1982-01-29	82-02-16	83-02-15 काब्रो इन्डस्ट्रीज, 669/9, गल्ली नं. 12, दशमेश नगर, गिल रोड, लुधियाना-3 (पंजाब) (कार्यालय : चौक हीरा हलवाई, लुधियाना (पंजाब))	तरल धातु पॉलिश— IS : 5487—1969
62. सी एम/एल-10317 23 1982-01-29	82-02-16	83-02-15 कोल्लिनूर गेंदम प्रा. लि., रेलवे स्टेशन के पास, छहूरटा-143103 (पंजाब) (कार्यालय : 13 रा. नं० रतनचन्द रोड, मालरोड, अमृतसर-143001)	तैयार मिश्रित पेन्ट, क्रिनिशिंग, आम्बरिक, सामान्य उपयोग के लिये, भारतीय मानक रंगों के— IS : 3537—1966
63. सी एम/एल-10318 24 1982-01-29	82-02-16	83-02-15 इन्डियन कोटिंग एण्ड लेमिनेटिंग कारपो- रेसन, 31 क्रैकटरी परिया, आग थिरोड मुख्यालय के पास, कानपुर-208012	380 ग्रा/मी ² , 68×39 (14+औंस/45 इंच; 8×10) त्रिपासी कपड़े से बने उर्वरक भरार्ई के परतदार पटसन बोरे— IS : 7406—(भाग 2)—1980
64. सी एम/एल-10319 25 1982-01-29	82-02-16	83-02-15 भारत पल्बराइजिंग मिलज प्रा. लि., अन्धेरी कुरला रोड, चकाला, अन्धेरी पूर्व, बम्बई-400093 (कार्यालय : श्री निकेतन, 14 विवन्ड रोड, बम्बई-400020)	मेन्कोनीज, जल विसर्जनीय सांद्रित धूर्ण— IS : 8708—1978
65. सी एम/एल-10320 18 1982-01-29	82-02-16	83-02-15 सुवर्णन कैमिकल इन्डस्ट्रीज लि., 162 वेलेजली रोड, पुणे-411001 (महाराष्ट्र)	क्रोस्कामिडॉन, 85% जल घुलनशील सांद्र— IS : 6177—1981
66. सी एम/एल-10321 19 1982-01-29	82-02-16	83-02-15 ब्लेज इन्जिनियरिंग वर्क्स, करड ओद्योगिक ऐस्टेट, झाकषर ओगलेवाड-415105 जिला सतारा (महाराष्ट्र)	द्रवित पेट्रोमियम गैस के घरेलू गैस ब्लूहू— IS : 4246—1978

(1)	(2)	(3)	(4)	(5)	(6)
67. सी एम/एल-10322 20 1982-01-29	82-02-16	83-02-15	अद्वारा एस्टेडिज, 807, जी. आई. डॉ० सी. मकरपुरा, बड़ीदा-390010 (गुजरात)	यथोपरि	
68. सी एम/एल-10323 21 1982-01-29	82-02-16	83-02-15	पेगावैक्स मैन्यू. कं., 40 जय बीजू रोड, चुसुरी, हायदा-711107 (प. बं.) (कार्यालय : 33/1, एन०एम० रोड, कमरा नं. 768, सातवीं मंजिल, कलकत्ता-700001)	पैराफ्रीन मोम, किस्म 3 का— IS : 4654—1974	
69. सी एम/एल-10324 22 1982-01-30	82-02-16	83-02-15	युनाइटेड फर्टिलाइजर्स इन्डस्ट्रीज, भारत फर्टिलाइजर इन्डस्ट्रीज कम्पाउण्ड, माजीबाड़ा, ठाणे	एण्डोसल्फान पायसनीय सांद्रित द्रव— IS : 4323—1980	
70. सी एम/एल-10325 23 1982-01-29	82-02-16	83-02-15	वेबी दयाल एलेक्ट्रॉनिक्स एण्ड वाक्स लि., पोखारन रोड नं. 2, डाक पेटी नं. 39, ठाणे-400601	केबिल प्रबलन के लिये मुदु इस्पात पत्तियां— IS : 3975—1979	
71. सी एम/एल-10326 24 1982-01-29	82-02-16	83-02-15	एन्सन्ड इलेक्ट्रो मेकेनिकल वर्क्स, रोड नं. 5 और 6, पर्वी मंजिल, आगडी औद्योगिक एस्टेट, खोट रोड, जोशेवरी (पूर्व) बम्बई-400060 (कार्यालय : 248/250 अश्रुल रहमान स्ट्रीट, बम्बई-400003)	कृषि प्रयोग के लिये स्वच्छ ठंडे, ताजा पानी के लिये मोनोसेट पम्प, निम्न- लिखित विवरण के : माप 82+50 मिमी गति 2900 आर पी एम इयुटी पायरे 18 भी हैड पर निकासो 505 लि/मि और कुशलता 48% मोटर 2.2 किवा., श्रेणी ई— IS : 6595—1970 और IS : 7538×1975	
72. सी एम/एल-10327 25 1982-01-28	82-02-16	83-02-15	जन्ता मेकेनिकल वर्क्स प्रा. लि., 39/16 सी, रामचन्द्र लेन, मलडि (पश्चिम), बम्बई-400064	अतिन हाइड्रेंट, खड़े खम्बे किस्म का — IS : 908—1975	
73. सी एम/एल-10328 26 1982-01-29	82-02-16	83-02-15	मोदी एण्ड कं०, 41—44, शास्त्री मार्ग, बागले एस्टेट, डाकघर ठाणे-400604 (एच एण्ड आर जानवन टाइल्स क्रैकटरी के सामने) (कार्यालय : 265 शामलदास गांधी मार्ग, इन्जिनियर थिलिङग, बम्बई)	कोलतार पर आधारित खाद्य रंग मिश्रण और पदार्थ, केबल तार पदार्थों के लिये IS : 5348—1975	
74. सी एम/एल-10329 27 1982-01-29	83-03-16	83-03-15	कनोरिया जूट मिल्स, (कनोरिया जूट कॉटन मिल्स का विविजन) 4/1, रैड क्रॉस प्लस, कलकत्ता-700001	भारतीय हेमियन (213 और 710 ग्राम/मी ²) IS : 2819(भाग 3)—1971	
75. सी एम/एल-10330 20 1982-01-29	82-03-16	83-06-15	बी आकलम्ब जूट कं. लि., जिला जगतल, 24 परगना (प. बं.) (कार्यालय % 6 लिटिल रसेल स्ट्रीट, कलकत्ता- 700001	हेमियन मोरे— IS : 3790—1971	
76. सी एम/एल-10331 21 1982-01-29	81-12-01	82-11-30	हाबड़ा मिल्स कं., 493/सी, जी टी रोड (वर्धन) हाबड़ा-711102 (प. बं.) (कार्यालय : 4 कलाइय रो, कलकत्ता- 700001)	—यथोपरि—	
77. सी एम/एल-10332 22 1982-01-29	82-02-16	83-02-15	पॉपुलर ग्राम मटल वर्क्स, 119, एम आई डी सी, गरीब नं. 18, अन्धेरी पूर्व, बम्बई-400093	1100 बी तक वाला चोल्ता का लिये पी बी सी रोधन के आवरण सहित और आवरण रहित केबिल बाह्य प्रयोग और अन्य तापमान प्रयोग के केबिल छोड़कर— IS : 694—1977	

(1)	(2)	(3)	(4)	(5)	(6)
78 सी एम/एल-10333 23 1982-01-30	82-02-16	83-02-15	कोमान मेटल प्रोडक्ट्स प्रा. लि., बी पीटी रोड, माडूल बैम्बूर, बम्बई- 400074 (महाराष्ट्र) (कार्यालय : 53/57, लक्ष्मी इन्वोयेन्स बिल्डिंग, पी. एन. रोड, बम्बई- 400001	5 लि से अधिक समार्ड वाले एल पी जी सिलिन्डर की बाल्व क्रिटिंग— IS : 8737 (भाग 2)—1978	
79. सी एम/एल-10334 24 1982-01-29	82-02-16	83-02-15	नेशनल पेट्रुम प्रा. लि., रोहक रोड, इमेस आन्तरिक, अण्डरकोडिंग और सोनीपत-131001 (हरियाणा)	क्रिनिशिंग— IS : 133—1975	
80. सी एम/एल-10335 25 1982-01-29	82-02-16	83-02-15	राजस्थान सिन्थेटिक इन्डस्ट्रीज, लि., विश्वकर्मा औद्योगिक क्षेत्र, मार्ग नं. 1, चोमू रोड, जयपुर-302013 (कार्यालय : रितुराज, मिर्जा इस्माइल रोड, जयपुर-302001)	पेय जल प्रदाय के लिये अतिसूक्ष्म पी बी सी नलियों 6 किग्रा एफ/सेमी 2, 110 मिमी व्यास तक माप— IS : 4985—1981	
81. सी एम/एल-10336 26 1982-01-29	82-02-16	83-02-15	रंका केबिल प्रा. लि., यूनिट 1, औद्यो- गिक ऐस्टेट के निकट, डाक पेटी नं. 451, कुर्पह-516001	ऊर्ध्वस्थ संभरण के लिये जस्तिन इस्पात प्रबलित एल्युमिनियम बालक— IS : 398 (भाग 2)—1976	

[सं सी एम बी/13 : 11]

ए. एस. बीमा, अपर महानियोजक

[सं सी एम बी/13 : 11]

ए. एस., बीमा, अपर महाविशेषक

S.O. 1295—In pursuance of subregulation (1) of Regulation 8 of the Indian Standards Institution (Certification Marks) Regulation, 1955, as amended from time to time, the Indian Standards Institution, hereby, notifies that eighty one licences, particulars of which are given in the following Schedule, have been granted during the month of January 1982 authorising licensees to use the Standards Marks :

SCHEDULE

Sl. No.	Licence No. (CM/L—)	Period of Validity		Name & Address of the licensee	Article/Process covered by the licensee and the Relevant IS : Designation								
		From	To										
(1)	(2)	(3)	(4)	(5)	(6)								
1.	CM/L—10256 27 1982-01-05	82-01-16	83-01-15	M/s Fort Gloster Inds Ltd, (Cable Division), 31 Chowringhee Road, Calcutta-700 016	Cross linked polyethylele PVC sheathed cables for working voltages upto and including 1100 volts and from 3.3 KV to 33 KV— IS : 7098 (Part I)—1977 and IS : 7098 (Part II)—1973								
2.	CM/L—10257 28 1982-01-05	82-01-16	83-01-15	M/s Steelcrete Private Ltd., 3, Industrial Development Area, Mindhi, Visakhapatnam-530042 (A.P.)	Cast Billet ingots and continuously cast billets for rolling into structural steel (ordinary quality)— IS : 6915—1978)								
3.	CM/L—10258 29 1982-01-06	82-01-16	83-01-15	M/s Patel Engineering Syndicate, Vasant Oil Mill Compound, Tagore Road, Rajkot-360002 (Gujarat)	Vertical, single cylinder, water cooled, four stroke diesel engines if the following rating: <table><tr><th>Output</th><th>Speed</th><th>Governing</th></tr><tr><td>5.88 KW (8 bhp) SFC</td><td>850 RPM</td><td>Class 'B'</td></tr></table> 280 g/KWh IS : 1601—1960			Output	Speed	Governing	5.88 KW (8 bhp) SFC	850 RPM	Class 'B'
Output	Speed	Governing											
5.88 KW (8 bhp) SFC	850 RPM	Class 'B'											
4.	CM/L—10259 30 1982-01-07	82-01-16	83-01-15	M/s Venu Wax Processing Industries, 92-A, 21—Kalarampatti Main Road, Karungalpatti, Salem-636006 galpatti, Salem-636006	Par affinx, Type 3— IS : 4654—1974								

(Office : 75-B, Karungalpatti Extension, Karungalpatti, Salem-636006 (T.N.))

(Office : 75-B, Karungalpatti Extension, Karungalpatti,
Salem-636006 (T.N.)

1	2	3	4	5	6
5. CM/L—10260 23 1982-01-08	82-01-16	83-01-15	M/s Wexokem, Type III/2, Industrial Estate, Kalunga-770031 Rourkela, Distt Sundergarh (Orissa)	Paraffin wax, Type 3— IJ : 4654—1974	
6. CM/L—10261 24 1982-01-07	82-01-16	83-01-15	M/s Universal Paint Works, 293, East Mohan Nagar, Amritsar (Punjab.)	Cement Paint, colour as required— IS : 5410—1969	
7. CM/L—10262 25 1982-01-08	82-01-16	83-01-15	M/s Gandhi Refineries 69-A, Industrial Estate, Nunhai, Agra-282006 (U.P.)	Paraffin wax, Type 3— IS : 4654—1974	
8. CM/L—10263 26 1982-01-08	82-01-16	83-01-15	M/s Surya Cables Private Limited, Village & P.O. Rail Majra, Distt. Hoshiarpur.	PVC insulated and PVC sheathed, unsheathed cables with aluminium conductors for working voltages upto and including 1100 volts— IS : 694—1977	
9. CM/L—10264 27 1982-01-08	82-01-16	83-01-15	M/s Malwa Steel Tube (P) Ltd., A-16, Industrial Focal, Point, Mohali (Punjab).	Steel tubes for structural purposes Grade : Yst 210 Class : LIGHT Sizes : Upto and including 65 mm/NB— IS : 1161—1979	
10. CM/L—10265 28 1982-01-08	82-01-16	83-01-15	M/s Plastofab, A-67, Talkatora Industrial Estate, Lucknow (U.P.)	PVC insulated unsheathed cables for working voltages upto and including 1100 volts excluding cables for outdoor use and low temperature applications— IS : 694—1977	
11. CM/L—10266 29 1982-01-08	82-01-16	83-01-15	M/s United Vencer Mfg Co., 2 Gurudas Dutta Garden lane, Calcutta-700067 (Office : P-194, V.I.P. Road, Calcutta-700067)	Plywood tea-chest panels— IS : 10 (Pt II)—1976	
12. CM/L—10267 30 1982-01-09	82-01-16	83-01-15	M/s Saharanpur Steel Rolling Mills, Dehradun Road, Saharanpur (U.P.)	Cold worked steel high strength deformed bars for concrete reinforcement— IS : 1786—1979	
13. CM/L—10268 31 1982-01-09	82-01-16	83-01-15	M/s Runka Cables Pvt. Ltd., I.D.A. Phase IV, Patancheru—Medak Distt. [Office : 2-2-57, Panbazar, Secundrabad (A.P.)]	Galvanized steel reinforced aluminium conductors for overhead transmission purposes— IS : 398 (Pt II)—1976	
14. CM/L—10269 32 1982-01-09	82-01-16	83-01-15	M/s Anam Manufacturing Co., Kodyam-533126 East Godavari Distt. (A.P.)	-do-	
15. CM/L—10270 25 1982-01-09	82-01-16	83-01-15	M/s Aluminium Industries Ltd., Ramachandrapuram, Lingampally P.O., Hyderabad 500032 (A.P.)	-do-	
16. CM/L—10271 26 1982-01-09	82-01-16	83-01-15	M/s Bengal Ferro Alloy and Steel Ltd., Plot No. 36, 'D' Block, Industrial Estate, Distt Nodia. (Office : 46 C Jawahar Lal Nehru Road, Everest House, 20th Floor, Calcutta-700071).	Steel ingots and billets for the production of laminated springs (railway rolling stock)— IS : 8054—1976	
17. CM/L—10272 27 1982-01-11	82-02-01	83-01-31	M/s Nagarjuna Agro & Steel Corporation, K.C. Works (P.O.) Tadepalli, Guntur Distt (A.P.) (Office : 27-1-135 Eluru Road, Vijayawada-520002) (A.P.)	Phosalone 35% EC— IS : 8487—1977	
18. CM/L—10273 28 1982-01-12	82-01-16	83-01-15	M/s New Age Appliances (P) Ltd., Plot No. 257, Sector 24, Faridabad (Haryana).	Domestic gas stoves for use with liquefied petroleum gases— IS : 4246—1978	
19. CM/L—10274 29 1982-01-12	82-01-16	83-01-15	M/s Gandhi Electrical Industries, C-10, 11 S.D. Mandir Market, Tilak Nagar, New Delhi-110018	PVC insulated unsheathed cables with aluminium conductors for working voltages upto and including 1100 volts excluding cables for outdoor use and low temperature applications— IS : 694—1977	

1	2	3	4	5	6
20.	CM/L—10275 30 1982-01-11	82-02-01	83-01-31	M/s Lotus Pesticides, Sadri, Distt Pali, (Rajasthan)	Dimethoate 30% EC— IS : 3903—1975
21.	CM/L—10276 31 1982-01-12	82-02-01	83-01-31	M/s Padgilwar Agro Industries, 192, Wardhaman Nagar, Nagpur-440008 (Maharashtra)	Foot sprayer— IS : 3652—1974
22.	CM/L—10277 32 1982-01-12	82-02-01	83-01-31	-do-	Hand-operated compression knapsack sprayer— IS : 1970 (Pt I)—1974
23.	CM/L—10278 33 1982-01-12	82-02-01	83-01-31	-do-	Pocket sprayer— IS : 3062—1974
24.	CM/L—10279 34 1982-01-12	82-02-01	83-01-31	M/s Industries Syndicate, (Joyguru Engineering Unit), 7 Chitranjan Avenue, Calcutta-700072	Flameproof Enclosures of (i) Rotor resistance 'Type FR', for 3 phase, 37 KW, 660 V slipring induction motors and; (ii) Drum controller 'Type FD 50' rated at 120 A, 660 V for controlling 3 phase slipring induction motors 2 Both for use in Group 1— IS : 2148—1968
25.	CM/L—10280 27 1982-01-12	82-02-01	83-01-31	M/s Sree Lakshmi Crucible Works, Ramavarappadu P.O. Vijayawada-521108 (A.P.)	Sizes of graphite crucibles Grade 'A' shape for all designation IS : 1748—1981
26.	CM/L—10281 28 1982-01-12	82-02-01	83-01-31	M/s Jayshree Cables & Engineering Works, Kunjaridiyur, Methur Dam-636403 (Tamil Nadu).	PVC insulated (heavy duty) electric unarmoured cables with aluminium conductors for working voltages upto and including 1100 volts— IS : 1554 (Pt I)—1976
27.	CM/L—10282 29 1982-01-12	82-02-01	83-01-31	M/s Modern Industrial Enterprises, WH-69, Mayapuri Industrial Area, Phase I, New Delhi-110064	Three phase squirrel cage induction motors for centrifugal pumps for agricultural applications having 3.7 KW to 7.5 KW power output and class A insulation— IS : 7538—1975
28.	CM/L—10283 30 1982-01-12	82-02-01	83-01-31	M/s Vivin & Company, 7/74 Palghat Main Road, Ideyaroalayam, Pirivu Kuniamuttur, Coimbatore-641008 (Office : 9-11, Nehru Stadium, V.O.C. Park, Coimbatore-641018)	Factory built assemblies of switch gear and control gear for voltages upto and including 1000 VAC and 1200 VDC IS : 8623—1977
29.	CM/L—10284 31 1982-01-12	82-02-01	83-01-31	M/s Kanwal Scientific Production (P) Ltd., 54 Malviya Road, 37-A, Laxman Chowk, Dehradun-248001 (U.P.)	Clinical thermometers, solid-stem type— IS : 3055 (Pt I)—1977
30.	CM/L—10285 32 1982-01-12	82-02-01	83-01-31	M/s Surya Cables Private Limited, Village & P.O. Rail Majra, Teh Balachaur, Distt Hoshiarpur (Punjab).	PVC insulated (heavy duty) electric cables armoured and unarmoured, with copper and aluminium conductors for working voltages upto and including 1100 volts— IS : 1554 (Pt I)—1976
31.	CM/L—10286 33 1982-01-12	82-02-01	83-01-31	M/s Star Iron Works Pvt. Ltd., 8 Station Road, Liluah, Howrah (Office : Embassy 1-B, 4 Shakespeare Sarani, Calcutta-700071)	Insulator fittings for overhead power lines of 3.3 KV and above— IS : 2486 (Pt I)—1971
32.	CM/L—10287 34 1982-01-27	82-02-16	83-02-15	M/s. National Iron & Steel Co Ltd., Belur P.O. Belurmath, Howrah (W.B.)	Structural steel (ordinary quality) IS : 1977—1975
33.	CM/L—10288 35 1982-01-27	82-02-01	83-01-31	M/s. Indian Iron & Steel Co. Ltd., (Th-rough M/s. Goel Industrial Corporation) 12 PTR Siding Coal Depot, Shalimar (Office : 50 Chowringhee Road, Calcutta-700071)	Cold worked steel high strength deformed bars for concrete reinforcement— IS : 1786—1979
34.	CM/L—10289 36 1982-01-27	82-02-16	83-02-15	M/s. Katia Steel Rolling Works, 613, B.T. Road, Agarpara, 24, Parganas (W.B.)	Structural steel (standard quality)— IS : 226—1975

(1)	(2)	(3)	(4)	(5)	(6)
35. CM/L—10290 29 1982-01-27	82-02-16	83-02-15	M/s. Katra Steel Rolling works, 613, B.T. Road Agrapara 24, Parganas (W.B.)	Cold worked steel high strength deformed bars for concrete reinforcement— IS : 1786—1979	
36. CM/L—10291 30 1982-01-27	82-02-16	83-02-15	Ms/. Godavari Electrical Conductors, Kodiyam-533126 East Godavari Distt. (Andhra Pradesh)	Aluminium conductors galvanized steel reinforced for overhead transmission purposes— IS : 398 (Pt. II)—1976	
37. CM/L—10292 31 1982-01-27	82-02-16	83-12-15	M/s. Amaravati Electrodes (P) Ltd., D-4, & D-5, APIEE, Autonagar, Visakhapatnam (Office : 43-19-3, T.S.N. Colony, Visakhapatnam)	Covered electrodes for metal and welding of structural steel, normal penetration type Brand Code POPULAR E 201411 IS : 814 (Pt I & II)—1974	
38. CM/L—10293 32 1982-01-27	82-01-16	83-01-15	M/s. Vinay Enterprises, 57, Sector 'A', Industrial Area, Suklia, Indore-452003 (M.P.) (Office : 18, Shankar Bag, Indore-450002) (M.P.)	18 litre square tins— IS : 916—1975	
39. CM/L—10294 33 1982-01-27	82-02-16	83-02-15	M/s. Bina Chemicals, E-36, Marudhar Industrial Area, Phase II, Basni, Jodhpur-342001 (Rajasthan)	Paraffin wax, type 3— IS : 4654—1974	
40. CM/L—10295 34 1982-01-27	82-02-16	83-02-15	M/s. Albright, Morarji and Pandit Ltd., MIDC Area, Plot No. 103 & 104, Village Dhatav, Taluka Roha-402109, Distt. Raigad (Office : Rajmahal, 3rd Floor, 84 Veer Nnrman Road, Bombay)	Glassy sodium metaphosphate, technical, grade I & II— IS : 574—1980	
41. CM/L—10296 35 1982-01-27	82-02-16	83-02-15	M/s. Tropical Agrosystems (P) Ltd, 530/2-B, Vanagram Road, Ambattur, Madras 600058 (Office : 118, 2nd Floor, Broadway, Madras-600001)	Zineb 75% WDPC— IS : 3899—1966	
42. CM/L—10297 36 1982-01-27	82-02-16	83-02-15	M/s. Metal Extrusions, 67-72 Sudershan-pura Industrial Area, Jaipur-302006 (Rajasthan)	Paraffin wax, type 3— IS : 4654—1974	
43. CM/L—10298 37 1982-01-27	82-02-16	83-02-15	M/s. Vale Pharma, 11 A Beach Road, Cuddalore-607001 (Tamil Nadu.)	Shampoo, Synthetic detergent based, liquid IS : 7884..1978	
44. CM/L—102299 38 1982-01-27	82-02-16	83-02-15	M/s. Precision Industries 24 Upton Estate, Panki Industrial Area, Kanpur-208022	Water meters (Domestic type) Type 'A' (Wet dial type) Size 15 mm— IS : 779—1978	
45. CM/L—10300 14 1982-01-27	82-02-16	83-02-15	M/s. Jai Ram & Sons, Kala Mahal, Aligarh (U.P.) (Office : Ram Niwas, Kutub Street, Aligarh-202001) (U.P.)	Padlocks, type 2, sizes 40 mm, 50 mm, 65 mm and 75 mm— IS : 275—1961	
46. CM/L—10301 15 1982-01-17	82-02-16	83-02-15	M/s. Ranka Cables Private Limited, Unit II, Near Industrial Estate, P.B. No. 45, Cuddapah-516001	Aluminium conductors galvanized steel reinforced for overhead transmission purposes— IS : 398 (Pt II)—1976	
47. CM/L—10302 16 1982-01-27	82-02-16	83-02-15	M/s. Andhra Industrial Works, C-2, Industrial Estate, Cuddapah-516004	-do-	
48. CM/L—10303 17 1982-01-27	82-02-16	83-02-15	M/s. Bangalore Cables (P) Ltd., 11th KM, Hosur Road, Bangalore-560068	Aluminium conductors galvanized steel reinforced for overhead transmission purposes— IS : 398 (Pt II)—1976	
49. CM/L—0304 18 1982-01-28	81-12-01	82-11-30	M/s. Kanaknarrah Co. Ltd., P.O. Kanaknara, Distt 24 Parganas (W.B.) (Office : 4 Clive Row, Calcutta-700001)	Hessian Bags.— IS : 3790—1971	
50. CM/L 10305 19 1982-01-28	82-02-16	83-02-15	M/s. Supra Chem, Ravelly village, Gajwell Taluq, Madak Distt (A.P.) (Office : 1-1-535 Gandhi Nagar Bakaram, Hyderabad-500380 (A.P.)	Oil, Hydraulic, mineral oil type, grade 5 only— IS : 3098—1975	

(1)	(2)	(3)	(4)	(5)	(6)
51. CM/L—10306 20 1982-01-28	82-02-16	83-02-15	M/s. United Moulding Works, Kokar Industrial Estate, Ranchi (Bihar) [Office : 149 Hazaribagh Road, Lalpur, Ranchi-834001 (Bihar)]	Moulded solid rubber soles and heels, type I, all sizes— IS : 5676—1970	
52. CM/L—10307 21 1982-01-28	81-12-01	82-11-30	Ms/ National Jute Mfg. Corporation, Unit : Kinnison, Titagarh Distt, 24 Parganas (W.B.) (Office : Chartered Bank Buildings, Calcutta Pin-700001)	Hessian Bags— IS : 3790—1971	
53. CM/L—10308 22 1982-01-28	82-02-16	83-02-15	M/s. Moti Industries & Engg Works, V/2, Kalamassery Panchayat, National Highway, Edappally, Cochin-682024 (Kerala)	Domestic gas stoves for use with liquefied petroleum gases— IS : 4246—1968	
54. CM/L—10309 23 1982-01-29	82-01-16	83-01-15	M/s. Calcutta Laminators (P) Ltd, 43/1, Garden Reach Road, Gate No. 3, Calcutta-14 (Office : 10 Clive Row, 1st Floor, Calcutta)	Laminated jute bags for packing fertilizers manufactured from 3809/m ² , 68×39 (14 oz/45 in; 8×10) Tarpaulin fabric— IS : 7406 (Pt II)—1980	
55. CM/L—10310 16 1982-01-29	82-02-16	83-02-15	M/s. Naihati Jute Mills Co. Ltd., P.O. Hazinagore, Distt. 24 Parganas (W.B.) (Office : 7 Hare Street, Calcutta-700001)	A-twill Jute bags— IS : 1943—1964	
56. CM/L—10311 17 1982-01-29	82-02-16	83-02-15	M/s. Eastern Chemical Industries, Jessore Road, Madhyagram-743275 (West Bengal)	Endosulfan EC— IS : 4323—1980	
57. CM/L—10312 18 1982-01-29	82-02-16	83-02-16	M/s. Industrial Minerals & Chem Co. Pvt. Ltd, Andheri Kurla Road, Chakala, Bombay-400093	Butachlor 50% EC— IS : 9356—1980	
58. CM/L—10313 19 1982-01-29	82-02-16	83-02-15	M/s. Bharat Pulverising Mills Pvt. Ltd. Andheri-Kurla Road, Chakala, Andheri (E), Bombay (Office : Shriniketan, 14, Queen's Road, Bombay-400020)	Butachlor EC— IS : 9356—1980	
59. CM/L—10314 20 1982-01-29	82-02-01	83-01-31	M/s. Pearl Food Products, Eramalloor 688537 Alleppey Distt. (Kerala).	Biscuits Variety : Glucose only— IS : 1011—1981	
60. CM/L—10315 21 1982-01-29	82-02-16	83-02-15	M/s. Shivalik Agro Chemicals, B-59, Phase VII, S.A.S. Nagar, Mohali, Distt. Ropar (Punjab).	Gamma BHC (Lindane) 20% EC— IS : 632—1978	
61. CM/L—10316 22 1982-01-29	82-02-16	83-02-15	M/s. Kabro Industries, 669/9 Street No. 12, Dasmesh Nagar, Gill Road, Ludhiana 3 (Punjab) (Office : Chowk Hira Halwai, Ludhiana) (Punjab).	Metal polish, liquid— IS : 5487—1969	
62. CM/L—10317 23 1982-01-29	82-02-16	83-02-15	M/s. Kohincor Paints Pvt. Ltd., Near Station, Chheharta 143105 (Amritsar) (Punjab) (Office : 13 R.B. Rattan Chand Road, The Mall, Amritsar 143001) (Punjab)	Ready mixed paint, finishing, interior, for general purposes, to Indian Standards Colours— IS : 3537—1966	
63. CM/L—10318 24 1982-01-29	82-02-16	83-02-15	M/s. Indian Coating & Laminating Corpn., 31, Factory Area, Near Fire Brigade Headquarters, Kanpur—208012 (U.P.)	Laminated jute bags for packing fertilizers manufactured from 380 G/m ² , 68×39 (14 oz/45 in 8×10) Tarpaulin fabric— IS : 7406 (Pt II)—1980.	
64. CM/L—10319 25 1982-01-29	82-02-16	83-02-15	M/s. Bharat Pulverising Mills Pvt. Ltd., Andheri Kurla Road, Chakala, Andheri(E) Bombay-400093. (Office : Shriniketan, 14 Queen's Road, Bombay 400020).	Mancozeb WDPC— IS : 8708—1978	
65. CM/L—10320 18 1982-01-29	82-02-16	83-02-15	M/s. Sudarshan Chemical Inds. Ltd., 162, Wellesley Road, Poona-411001 (Maharashtra)	Phosphamidon 85% WSC— IS : 6177—1981	
66. CM/L—10321 19 1982-01-29	82-02-16	83-01-15	M/s. Blaze Engg. Works, Karad, Industrial Estate, P.O. Ogalewad-415105, Distt. Satara (Maharashtra).	Domestic gas stoves for use with liquefied petroleum gases— IS : 4246—1978	
67. CM/L—10322 20 1982-02-29	82-02-16	83-02-15	M/s. Ahura Enterprises, 807, G.I.D.C., Makarpura, Baroda 390010 (Gujarat).	— do —	

(1)	(2)	(3)	(4)	(5)	(6)			
68. CM/L-10323 21 1982-01-29	82-02-16	83-02-15	M/s Parawax Manufacturing Co., 40 Joya Bibu Road, Chusuri, Howrah 741107 (W.B.) (Office : 33/1, N. S. Road, Room No. 768, 7th Floor, Calcutta 700001).	Paraffin wax, type 3, IS : 4654-1974.				
69. CM/L-10324 24 1982-01-30	82-02-16	83-02-15	M/s United Fertilizers Industries, Bharat Fertilizer Industries Ltd., Compound, Maziwada, Thana.	Endosulphan EC— IS : 4323-1980.				
70. CM/L-10325 23 1982-01-29	82-02-16	83-02-15	M/s Devidyal Electronics & Wires Ltd., Pokhran Road No. 2, P.B. No. 39, Thane 400601	Mild steel strips for armouring of cables— IS : 3975-1979				
71. CM/L-10326 24 1982-01-29	82-02-16	83-02-15	M/s Ansons Electro Mechanical Works, Shed No. 5 & 6, Ground Floor, Agadi Industrial Estate, Khot Road, Jogeshwari (East), Bombay 400060. Office : 248/250, Abdul Rehman Street, Bombay 400003 (Maharashtra)	Monoset pumps for clear, cold, fresh water for agricultural purposes of the follow- ing sizes : <table><tr><th>Size</th><th>Speed (RPM)</th></tr><tr><td>82 x 50 mm</td><td>2900</td></tr></table>	Size	Speed (RPM)	82 x 50 mm	2900
Size	Speed (RPM)							
82 x 50 mm	2900							
				<table><tr><th>Duty Point</th><th>Motor</th></tr><tr><td>At 18 m head, discharge 5051/min Class 'E' and effi- ciency 48 % IS : 6595-1970 and IS : 7538-1975.</td><td>2.2 KW,</td></tr></table>	Duty Point	Motor	At 18 m head, discharge 5051/min Class 'E' and effi- ciency 48 % IS : 6595-1970 and IS : 7538-1975.	2.2 KW,
Duty Point	Motor							
At 18 m head, discharge 5051/min Class 'E' and effi- ciency 48 % IS : 6595-1970 and IS : 7538-1975.	2.2 KW,							
72. CM/L-10327 25 1982-01-29	82-02-16	83-02-15	M/s Janta Mechanical Works Pvt. Ltd., 39/16 C Ramachandra Lane, Malad (West) Bombay 400064.	Fire hydrant, stand post type — IS : 908-1975.				
73. CM/L-10328 26 1982-01-29	82-02-16	83-02-15	M/s Mody & Co., 41-44 Shastri Marg, Wagle Estate, P.O. Thane-400604. (Opt. H & R. Johnson Tiles Factory) (Office : 265, Shamaldas Gandhi Marg, Engineer Building, Bombay).	Coal tar food colours preparations and mixtures for liquid only.— IS : 5346-1975				
74. CM/L-10329 27 1982-01-29	82-03-16	83-03-15	M/s Kanoria Jute Mills, (Division of Konoria Jute Cotton Mills Ltd.), 4/1, Red Cross Place, Calcutta 700001.	Indian hessian (213 & 279 g/m ²)— IS : 28.9 (Pt III)-1971.				
75. CM/L-10330 20 1982-01-29	82-03-16	83-03-15	M/s The Auckland Jute Co. Ltd., Jagataj Distt, 24 Parganas (West Bengal). (Office : 6 Little Russel Street, Calcutta- 700071).	Hessian bags— IS : 3790-1971				
76. CM/L-10331 21 1982-01-29	81-12-01	82-11-30	M/s Howrah Mills Co., 493/C, G.T. Road (S), Howrah-7-711102 (W.B.) (Office : 4 Clive Row, Calcutta 700001).	-do-				
77. CM/L-10332 22 1982-01-29	82-02-16	83-02-15	M/s Popular Brass Metal Werks, 119, M.I.D.C. Stree No. 18, Andheri East, Bombay-400093.	PVC insulated sheathed and unsheathed cables for working voltages upto and including 1100 V excluding cables for outdoor use and low temperature applications— IS : 694-1977.				
78. CM/L-10333 23 1982-01-30	82-02-16	83-02-15	M/s Kosan Metal Products Pvt. Ltd., BFT Road, Mahul, Chembur, Bombay 400074 (MS). (Office : 53/57, Laxmi Insurance Building, Sir P.M. Road, Fort, Bombay-400001 (MS)).	Valve fittings for I PG Cylinders of more than 5 litres water capacity — IS : 8737 (Pt II)-1978.				
79. CM/L-10334 24 1982-01-29	82-02-16	83-02-15	M/s National Paints Pvt. Ltd., Rohtak Road, Sonapat-131001 (Haryana).	Enamel Interior, (a) undercoating; and (b) finishing— IS : 133-1975				
80. CM/L-10335 25 1982-01-29	82-02-16	83-02-15	M/s Rajasthan Synthetic Industries Ltd., Vishwakarma Industrial Area, Road No. 1, Chomu Road, Jaipur 302013. (Office : 'Rituraj', Mirza Ismail Road, Jaipur- 302001).	Unplasticized PVC pipes for potable water supplies 6 kg/cm ² sizes up to 110 mm dia— IS : 4985-1981.				
81. CM/L-10336 26 1982-01-29	82-02-16	83-02-15	M/s Ranka Cables Private Limited, Unit I, Near Industrial Estate, P.B. No. 45, Cuddapah-516001.	Aluminium conductors galvanized steel reinforced for overhead transmission purposes— IS : 398 (Pt II)-1976.				

पेट्रोलियम मंत्रालय

नई दिल्ली, 18 मार्च, 1985

का. आ. 1296:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 3764 तारीख 6/11/84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आणय घोषित कर दिया था।

और यतः मन्त्र अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजिरा से बरेली से जगदीशपुर तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात जिला एवं तालुका—अरुच

गांव	सर्वे नं०	हेक्टर	आर	सेन्टीनर
ओसारा	कार्ट ट्रेक	0	04	80
	35	0	00	64
	36	0	00	96
	37	0	20	00
	38	0	32	00
	39	0	29	60

[सं. O-14016/124/84-जी. पी.]

MINISTRY OF PETROLEUM

New Delhi, the 18th March, 1985

S.O. 1296:—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3764 dated 6-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from circumstances.

SCHEDULE

Pipeline from Hajira—Barelily—Jagdishpur

State : Gujarat District & Taluka : Arun

Village	Survey No.	Hec-tare	Arc	Centi-are
Osara	Cart track	0	04	80
	35	0	00	64
	36	0	00	96
	37	0	20	00
	38	0	32	00
	39	0	29	60

[No. O-14016/124/84—GP]

का. आ. 1297:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का आ. सं. 4100 तारीख 15-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि के उपयोग के अधिकार को पाइप लाइन को बिछाने के लिए अर्जित करने का अपना आणय घोषित कर दिया था।

और यतः मन्त्र अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजोरा से बरेली से जगदीशपुर तक पाइप लाइन बिछाने के लिए।

राज्य :- गुजरात जिला :- वडोदरा तालुका :- वागोडीया

गांव	सर्वेन०	हेक्टर	एअरई	सेन्टीयर
1	2	3	4	5
मडहली	750/1	0	00	48
	752	0	28	97
	751	0	19	52
	746	0	12	48
	745	0	07	04
	743	0	00	32
	747	0	14	08
	742	0	19	04
	741	0	22	40
	739	0	29	40
	739	0	23	04
	336	0	01	44
	736	0	08	48
	333	0	30	08
	332	0	04	80
	334	0	00	16
	331	0	23	36
	327	0	35	36
	308	0	26	40
	326	0	10	72
	324	0	39	20
	312/2	0	00	80
	323	0	08	32
	322	0	09	22
	312/1	0	23	68
	313	0	09	60
	314	0	15	20
	266	0	16	00

1	2	3	4	5
	267	0	21	28
	268	0	01	60
		0	04	80
	264	0	65	12
	263	0	08	80
	237	0	15	36
	245	0	23	36
	244	0	20	96
	253	0	14	88
	251	0	13	60
	250	0	15	68
	255	0	28	18
	138/1	0	11	68
	674	0	63	20
	661/4	0	40	32
	670	0	15	20

[सं. O-14016/2/84-जो. पी.]

S.O. 1297.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 4100 dated 15-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land, Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Pipeline from Hajira to Bareilly to Jagdishpur

State : Gujarat District : Vadodara Taluka : Waghodiya

Village	Survey No.	Hec-tare	Arc	Centiare
1	2	3	4	5
Madheli	750/1	0	00	48
	752	0	28	96
	751	0	19	52
	746	0	12	48
	745	0	07	04
	743	0	00	32

1	2	3	4	5
	747	0	14	08
	742	0	19	04
	741	0	22	40
	739	0	29	40
	739	0	23	04
	336	0	01	44
	736	0	08	48
	333	0	30	08
	332	0	04	80
	334	0	00	16
	331	0	23	36
	327	0	35	36
	308	0	26	40
	326	0	10	72
	324	0	39	20
	312/2	0	00	80
	323	0	08	32
	322	0	09	22
	312/1	0	23	68
	313	0	09	60
	314	0	15	20
	266	0	16	00
	267	0	21	28
	268	0	01	60
	Cart track	0	04	80
	264	0	65	12
	263	0	08	80
	237	0	15	36
	245	0	23	36
	244	0	20	96
	253	0	14	88
	251	0	13	60
	250	0	15	68
	255	0	28	18
	138/1	0	11	68
	674	0	63	20
	661/4	0	40	32
	670	0	15	20

[No. O-14016/2/84—GP]

का. आ. 1298.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मन्त्रालय की अधिसूचना का. आ. सं. 2111 तारीख 15-6-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए केन्द्रीय सरकार तद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में

विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजीरा से बरेली से जगदीशपुर तक पाइप लाइन

बिछाने के लिए

राज्य—गुजरात	जिला—बड़ोरा	तालुका—करजण	गांव	कोक नं०	हेक्टर	आर	सेन्टी- यर
सनीयाव	600	0	02	72			
	534	0	14	36			
	599	0	10	40			
	601	0	18	56			
	598	0	36	00			
	597	0	17	60			
	591	0	26	08			
	592	0	12	32			
	593	0	00	48			
	587	0	30	72			
	586	0	01	26			
	612	0	17	40			
	583	0	03-	84			
	617	0	16	96			
	618	0	03	68			
	619	0	28	08			
	620	0	10	40			
	627	1	07	64			
	328	0	00	16			
	327	0	13	92			
	326	0	03	68			
	325	0	24	48			
	324	0	23	68			
	332	0	30	56			
	333	0	20	32			
	334	0	25	44			
	कार्ट ट्रेक	0	06	08			
	314	0	02	24			
	352	0	83	72			
	312	0	12	32			
	310	0	03	68			
	311	0	10	24			
	354	0	04	76			

1	2	3	4	5	1	2	3	4	5
	355	0	01	44		327	0	13	92
	261	0	20	80		326	0	03	68
	260	0	30	40		325	0	24	48
	258	0	34	24		324	0	23	68
	251	0	38	08		332	0	30	56
	252	0	07	20		333	0	20	32
	257	0	02	56		334	0	25	44
						Cart track	0	06	08
						314	0	02	24
						352	0	83	72
						312	0	12	32
						310	0	03	68
						311	0	10	24
						354	0	04	76
						355	0	01	44
						261	0	20	80
						260	0	30	40
						258	0	34	24
						251	0	38	08
						252	0	07	20
						257	0	02	56

[सं. O-14016/42/84-ओ एन जी-डी-4/जी पी]

S.O. 1298.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2111 dated 15-6-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Pipeline from Hajira to Bareilly to Jagdishpur

State : Gujarat District : Baroda Taluka : Karjan

Village	Survey No.	Hec-tare	Arc	Centiare
1	2	3	4	5
Saniyad	600	0	02	72
	534	0	14	36
	599	0	10	40
	601	0	18	56
	598	0	36	00
	597	0	17	60
	591	0	26	08
	592	0	12	32
	593	0	00	48
	587	0	30	72
	586	0	01	26
	612	0	17	40
	583	0	03	84
	617	0	16	96
	618	0	03	68
	619	0	28	08
	620	0	10	40
	627	1	07	64
	328	0	00	16

[No. O-14016/42/84-ONG-D4-GP]

का. आ. 1299:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 2519 तारीख 16-7-84 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार को पाइप लाइन का बिछाने के लिए अर्जित करने का अर्थात् आशय घोषित कर दिया था।

और यतः मक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित है कि इन अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इन धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी आवाजाही में भूकत घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची					1	2	3	4	5
हजीरा में बरेली-जगदीशपुर तक पाइप लाइन बिछाने के लिए						750	0	25	28
राज्य : गुजरात जिला : बड़ोदरा तालुका : दमोई						751/1	0	01	60
गाव						749	0	10	72
सर्वे नं०	हेक्टयर	एअरई	मेन्टीयर			748	0	19	52
1	2	3	4	5		745	0	05	76
खुवावी	462	0	03	52		746	0	31	20
	463	0	22	88		747	0	06	16
	464	0	13	12		774/2	0	11	84
	460	0	45	28		773	0	14	56
	459	0	00	48		772	0	01	12
	435	0	05	12		779	0	02	40
	441	0	35	68		780	0	14	88
	455	0	16	48		781	0	01	44
	456	0	00	24		778	0	15	20
	454	0	05	60		फॉर्ट ट्रेक	0	05	76
	442	0	25	44		945	0	06	58
	447	0	13	44		946	0	14	24
	445	0	00	08		947	0	11	20
	446	0	13	36		948	0	09	68
	490	0	05	76		943	0	02	88
	491	0	11	68		949	0	30	00
	492/ 3	0	00	32		987/1	0	10	24
	492/2	0	09	44		987/31	0	55	36
	979	0	02	72		987/5	0	52	00
	496	0	09	12		987/4	0	45	28
	495	0	09	92					
	494	0	14	88					
	497	0	04	64					
	504	0	02	24					
	631	0	32	16					
	832	0	15	64					
	633	0	03	04					
	634	0	35	04					
	635	0	10	72					
	636/1	0	15	28					
	711	0	19	52					
	712	0	18	24					
	713	0	02	40					
	714	0	12	88					
	फॉर्ट ट्रेक	0	03	52					
	715	0	32	48					
	721	0	05	12					
	754/1	0	02	24					
	722	0	11	26					
	753	0	24	48					

[सं. O-14016/76/84-जी.पी.]

S.O. 1299.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2519 (dated 16-7-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

SCHEDULE

1

2

3

4

5

Pipeline from Hajira to Bareilly to Jagdishpur

State : Gujarat District : Vadodara Taluka : Dabhoi

Village	Survey No.	Hec-tare	Are	Centi-are
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1	2	3	4	5
Thuvayi	462	0	03	52
	463	0	22	88
	464	0	13	12
	460	0	45	28
	459	0	00	48
	435	0	05	12
	441	0	35	68
	455	0	16	48
	456	0	00	24
	454	0	05	60
	442	0	25	44
	447	0	13	44
	445	0	00	08
	446	0	13	36
	490	0	05	76
	491	0	11	68
	492/3	0	00	32
	492/2	0	09	44
	979	0	02	72
	496	0	09	12
	495	0	09	92
	494	0	14	88
	497	0	04	64
	504	0	02	24
	631	0	32	16
	632	0	15	64
	633	0	03	04
	634	0	35	04
	635	0	10	72
	636/1	0	15	28
	711	0	19	52
	712	0	18	24
	713	0	02	40
	714	0	12	88
	C.T.	0	03	52
	715	0	32	48
	721	0	05	12
	754/1	0	02	24
	722	0	11	36
	753	0	24	48
	750	0	25	28
	751/1	0	01	60
	749	0	10	72
	748	0	19	52
	745	0	05	76
	746	0	31	20
	747	0	06	16
	774/2	0	11	84
	773	0	14	56
	772	0	01	12
	779	0	02	40
	780	0	14	88
	781	0	01	44
	778	0	15	20
	C.T.	0	05	76
	945	0	06	58
	946	0	14	24
	947	0	11	20
	948	0	09	68

[No. O-14016/76/84-GP]

का०. आ०. 1300.—यह केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजिरा-बरेली से जगादीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि० द्वारा बिछाई जानी चाहिये।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन 45, सुभाष नगर, मांवेर रोड, उज्जैन 456001 (म.प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : देहरी तहसील : राघोगढ़ जिला : गुना राज्य : म.प्र.

अनु. क्र०	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
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1	2	3
1.	35	0.063
2.	36	0.052
3.	37	0.345
4.	60	0.470
5.	66	0.523
6.	38	0.157
7.	39	0.052
8.	42	0.523
9.	43	0.094

1	2	3
10.	45	0.021
11.	46	0.105
12.	54	0.063
13.	55	0.042
14.	56	0.209
15.	57	0.010
16.	61	0.021
17.	62	0.418
18.	67	0.209
19.	68	0.261
20.	69/1	0.052
21.	74	0.136
22.	77	0.042
23.	80	1.505

योग : कुल क्षेत्रफल 5.373

[सं.ओ-14016/164/85-जी.पी.]

S.O. 1300.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagidshpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

HBJ Gas Pipe line Project

Village: Dehari Tehsil: Raghogarh Distt. Guna

S. No.	Survey No.	Area to be acquired for R.O.U. in Hectares
1	2	3
1.	35	0.063
2.	36	0.052
3.	37	0.345
4.	60	0.470
5.	66	0.523
6.	38	0.157
7.	39	0.052
8.	42	0.523
9.	43	0.094
10.	45	0.021

1	2	3
11.	46	0.105
12.	54	0.063
13.	55	0.042
14.	56	0.209
15.	57	0.010
16.	61	0.021
17.	62	0.418
18.	67	0.209
19.	68	0.261
20.	69/1	0.052
21.	74	0.136
22.	77	0.042
23.	80	1.505
TOTAL AREA:		5.373

[No. O-14016/164/85-GP]

का. आ. 1301.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजिरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

वर्णित कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन, 45, मुभष नगर, सांवेय रोड, उज्जैन 456001 (म.प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुत्तबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम	आवन	तहसील	राघोनेड़	जिला-गुना	राज्य (म.प्र.)
अनु.	खसरा नं.	1	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेयर्स में)		
क्र. 1					
1	2	3			
1.	50	0.104			
2.	51	0.209			

1	2	3
3.	53	0.230
4.	54	0.073
5.	55	0.042
6.	58	0.155
7.	67	0.063
8.	69	0.157
9.	70	0.366
10.	78	0.021
11.	81	0.021
12.	71 में से	0.157
13.	76	0.052
14.	79	0.052
15.	80 में	0.125
16.	80 में	0.105
17.	83	0.266
18.	84	0.021
19.	139	0.052
20.	140	0.209
21.	141	0.209
22.	142	0.178
23.	153	0.345
24.	154	0.105
25.	163	0.366
26.	201	0.627
27.	207	0.209
28.	208	0.073
29.	1060	0.230
30.	1061/1	0.230
31.	1063 में से	0.063
32.	1099	0.010
33.	1064	0.440
34.	1066	0.052
35.	1067	0.021
36.	1072	0.888
37.	1087	0.021
38.	1095	0.188
39.	1097	0.209
40.	1098	0.063
41.	1106	0.126
42.	1112	0.126
43.	1113	0.336
44.	1117	0.073
45.	152	0.010
46.	82	0.052
47.	52	0.021
48.	59	0.073
योग : कुलक्षेत्रफल		7.824

[सं. O-14016/165/85-जीपी०]

S.O. 1301.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hajira-Bareilly to Jagdishpur in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

HBJ GAS PIPE LINE PROJECT

Village : Avan Tehsil : Raghogarh Distt. Guna		
S. No.	Survey No.	Area to be acquired for R.O.U. in Hectares
1	2	3
	1. 50	0.104
	2. 51	0.209
	3. 53	0.230
	4. 54	0.073
	5. 55	0.042
	6. 58	0.155
	7. 67	0.063
	8. 69	0.157
	9. 70	0.366
	10. 78	0.021
	11. 81	0.021
	12. 71 M.S.	0.157
	13. 76	0.052
	14. 79	0.052
	15. 80 M.S.	0.125
	16. 90 M.S.	0.105
	17. 83	0.266
	18. 84	0.021
	19. 139	0.052
	20. 140	0.209
	21. 141	0.209
	22. 142	0.178
	23. 153	0.345
	24. 154	0.105
	25. 163	0.366
	26. 201	0.627
	27. 207	0.209
	28. 208	0.073
	29. 1060	0.230
	30. 1061/1	0.230
	31. 1063 M.S.	0.063
	32. 1099	0.010
	33. 1064	0.440
	34. 1066	0.052
	35. 1067	0.021

1	2	3
36.	1072	0.888
37.	1037	0.021
38.	1035	0.183
39.	1097	0.209
40.	1098	0.063
41.	1106	0.126
42.	1112	0.126
43.	1113	0.336
44.	1117	0.073
45.	152	0.010
46.	82	0.052
47.	52	0.021
48.	59	0.073
TOTAL AREA:		7.824

[No. O-14016/165/85-G.P.]

का. आ. 1302.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

अर्थात् कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन, 45 सुभाष नगर, सांवेर रोड, उज्जैन-456001 (म.प्र.) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम पगरा तहसील राधोगढ़ जिला-गुना राज्य (म.प्र.)

अनुसूची		
अनु.	खसरा नं. 1	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
1	2	3
1.	37/1	0.073
2.	38	0.073

1	2	3
3.	39	0.293
4.	40/3	0.314
5.	40/5	0.093
6.	40/6	0.564
7.	40/7	0.345
8.	41	0.314
8.	42	0.169
10.	100	0.042
11.	101/3	0.314
12.	104	0.554
13.	287/8	0.480
14.	289	0.010
15.	309	0.073
16.	328	0.449
17.	330	0.031
18.	40/9	0.021
19.	43	0.010
20.	102	0.063
21.	105	0.084
22.	110/9	0.063
23.	290/1	0.042
24.	290/2	0.125
25.	335	0.199
26.	336	0.021
27.	331	0.292
28.	332	0.303
29.	337/1	0.199
30.	338	0.167
31.	352	1.630
32.	354	0.575
33.	351	2.633

योग : कुल क्षेत्रफल 10.618

[सं. O-14016/166/85-जीपी]

S.O. 1302.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE
HBJ GAS PIPE LINE PROJECT

Villa 30 Pagara Tehsil Raghogarh Distt. Guna

Sl. No.	Survey No.	Area to be acquired for R.O.U. in Hectare
1.	37/1	0.073
2.	38	0.073
3.	39	0.293
4.	40/3	0.314
5.	40/3	0.093
6.	40/6	0.564
7.	40/7	0.345
8.	41	0.314
9.	42	0.169
10.	100	0.042
11.	101/3	0.314
12.	104	0.554
13.	287/8	0.480
14.	289	0.010
15.	309	0.073
16.	328	0.449
17.	330	0.031
18.	40/9	0.071
19.	43	0.010
20.	102	0.062
21.	105	0.034
22.	110/9	0.063
23.	290/1	0.042
24.	292/2	0.125
25.	335	0.199
26.	335	0.021
27.	331	0.291
28.	331	0.303
29.	337/1	0.199
30.	338	0.167
31.	352	1.630
32.	354	0.575
33.	351	2.631
TOTAL AREA		10.618

[No. O-14016/166/85-(G.P.)]

का. आ. 1303.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हज़ीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962) (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन, 45, सुभाष नगर, सांवेर रोड, उज्जैन 456001 (म.प्र.) को इस अधिसूचना की तारीख 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : कुटपारा तहसील : कोज़ारस जिला : धिक्पुरा राज्य
(मध्य प्रदेश)

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर)
1.	758	0.052
2.	759/1	0.261
3.	759/2	0.251
4.	760	0.073
5.	773	0.377
6.	774	0.084
7.	777	0.094
8.	779	0.293
9.	780	0.146
10.	782	0.251
11.	783	0.063
12.	772	0.094
13.	778/2	0.052
योग : कुल क्षेत्रफल		2.091

[सं. ओ-14016/167/85-जा.पो.]

S.O. 1303.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT		
Village Kutawara	Tehsil Kolaras	Distt. Shivpuri
SCHEDULE		
S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectares
1.	758	0.052
2.	759/1	0.261
3.	759/2	0.251
4.	760	0.073
5.	773	0.377
6.	774	0.084
7.	777	0.094
8.	779	0.293
9.	780	0.146
10.	782	0.251
11.	783	0.063
12.	772	0.092
13.	778/2	0.032
Total area		2.091

[No. O 1401/167/85 GP]

का. आ. 1304.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजौरा-बरेली से जगदीशपुर तक पेट्रोलियम के पाइपलाइन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसा लाइनों को बिछाने के प्रयोजन के लिये एतदुपायद्व अनुसूचा में वर्णित भूमि से उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पदार्थ लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 को उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितवृद्ध कोटि व्यवित, उन भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष सक्षम प्राधिकरण, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन, 45, मुभाष नगर, सांवेर रोड, उज्जैन 456001 (म.प्र.) को इस अधिसूचना का तारीख से 21 दिनों के भीतर कर सकेंगा सकेंगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किनी विधि व्यवसायो का माफ़त।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : चंदनखिरिया तहसील : कोलारस जिला-शिवपुरी राज्य (मध्य प्रदेश)

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
1	2	3
1.	64	0.157
2	64	0.219

1	2	3
3.	66	0.210
4.	67	0.010
5.	59	0.110
6.	71	0.189
7.	72	0.150
8.	78	0.418
9.	77	0.185
10.	55	0.261
11.	54	0.052
12.	50	0.340
13.	48	0.157
14.	46	0.050
15.	56	0.021
16.	115	0.063
17.	49	0.010
18.	34	0.020

योग : कुल क्षेत्रफल 2.622

[मं. ओ-14016/168/85-जीपीए]

S.O. 1304.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

Now therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipe lines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Chandankharia Tehsil : Kolaras Distt. : Shivpuri

SCHEDULE

S. No.	Survey No.	Area to be acquired for R.O.U. in Hectares
1	2	3
1.	64	0.157
2.	65	0.192
3.	66	0.210
4.	67	0.010
5.	59	0.110
6.	71	0.189
7.	72	0.150

1	2	3
8.	78	0.418
9.	77	0.185
10.	53	0.161
11.	54	0.057
12.	50	0.340
13.	48	0.157
14.	46	0.050
15.	56	0.071
16.	116	0.063
17.	49	0.010
18.	34	0.020
TOTAL AREA		2.672

[No. O-14016/168/85-GP]

का. आ. 1305.— यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश राज्य में हजिरा-बरेली से जगदीशपुर पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी गाइनों को बिछाने के प्रयोजन के लिये एनर्जि बद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना वाक्य एनर्जि बद्ध प्रकट किया है।

वर्तते कि उक्त भूमि में हितरक्ष कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सज्जम प्राधिकरण तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन, 45, सुभाष नगर सन्वर रोड, उज्जैन (म.प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेंगे।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम अल्लीपूरा, तहसील राघोगढ़, जिला-गुना, राज्य (मध्यप्रदेश)

अनुसूची

अनु. क्र०	खसरा नं. 1	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
1	2	3
1.	40	0.271
2.	41	0.418
3.	43	0.251

1	2	3
4.	44/6	0.052
5.	53/5	0.490
6.	53/12	0.209
7.	53/13	0.272
8.	53/16	0.251
9.	53/17	0.125
10.	53/18	0.178
11.	72/1	1.254
12.	45	0.031
13.	53/6	0.021
14.	70	0.021
15.	73	0.031
योग : कुल क्षेत्रफल		3.875

[सं. ओ-14016/170/85-जोपा]

S.O. 1305.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Barcilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village: Allipura Tehsil: Raighogarh Distt. Guna

SCHEDULE

S. Survey No.	Area to be acquired for R.O.U. in Hectare
1. 40	0.271
2. 41	0.418
3. 43	0.251
4. 44/6	0.052
5. 53/5	0.490
6. 53/12	0.209
7. 53/13	0.272
8. 53/16	0.251
9. 53/17	0.125
10. 53/18	0.178
11. 72/1	1.254
12. 45	0.031
13. 53/6	0.021
14. 70	0.021
15. 73	0.031
TOTAL AREA	3.875

[No. O-14016/170/85-GP]

नई दिल्ली, 18 मार्च, 1985

का.आ. 1305.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल भारतीय गैस प्राधिकरण लि० द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बग़लें कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच.बी.जे. पाइप लाइन 45, मुभाष नगर सांवेर रोड, उज्जैन (म.प्र.) 456001 को इस अधिसूचना की तारीख 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस, पाइप लाइन प्रोजेक्ट
ग्राम ककवासा, तहसील राघोगढ़ जिला-गुना, राज्य (मध्य-प्रदेश)

अनुसूची

अनु. क्र०	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
1.	482	0.637
2.	491/559	0.021
3.	1	0.209
4.	112/1	0.209
योग :—कुल क्षेत्रफल		1.076

[सं. ओ-14016/171/85-जीपी]

New Delhi, the 18th March, 1985

S.O. 1306.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Kakwasa, Tehsil Raagoharh, Distt. Guna,

SCHEDULE

S. Survey No.	Area to be acquired for R.O.U. in Hectare
1. 482	0.637
2. 491/559	0.021
3. 1	0.209
4. 112/1	0.209
TOTAL AREA	1.076

No. O-14016/171/85—GPI

का. आ. 1307.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि० द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बग़लें कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन 45, मुभाष नगर सांवेर रोड, उज्जैन (म.प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम अहमदापुर तहसील राधोगढ़ जिला-गुना राज्य
(मध्यप्रदेश)

अनुसूची

the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Ahamadapur Tehsil : Raghogarh Distt : Guna

SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	42	0.115
2.	33/8	0.025
3.	33/4	0.146
4.	41	0.157
5.	40	0.084
6.	55	0.031
7.	56/2	0.084
8.	56/1	0.178
9.	58/1	0.449
10.	59	0.418
11.	60	0.052
12.	17	0.219
13.	18	0.094
14.	30	0.052
15.	28	0.240
16.	27	0.293
17.	24	0.073
18.	19	0.021
19.	16	0.010
20.	20	0.073
21.	29/1	0.010
22.	31	0.010
23.	33/5	0.021
24.	50	0.021
25.	57	0.010
26.	61	0.010
27.	63/1	0.031
28.	44	0.324
Total Area		3.251

[No O-14016/172/85-GP]

का. आ. 1308:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश राज्य में हजौरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन भारतीय गैस प्राधिकरण लि० द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाठ अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि) में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

S.O. 1307.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to

[सं. ओ-14016/172/85-जीपी]

योग :—कुल क्षेत्रफल 3.251

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन 45, सुभाष नगर सावर रोड, उज्जैन (म.प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम हुसेनपुर तहसील रावोगढ़ जिला-गुना राज्य
(मध्य प्रदेश)

अनुसूची

अनुक्र०	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हैक्टर में)
1.	70	0.021
2.	71	0.398
3.	73	0.178
4.	72	0.010
5.	56/2	0.653
6.	56/1	0.700
7.	57	0.073
8.	54/3	0.010
योग :—कुल क्षेत्रफल		2.018

[सं. O-14016/173/85-जापी]

S.O. 1308.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, HBI Gas Pipe Line 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBI GAS PIPE LINE PROJECT

Location : Jagdishpur Tel. : Jagdishpur Dist. : Guna

SCHEDULE

S. No.	Area to be Acquired for R.O.U. in Hectare
1. 70	0.021
2. 71	0.398
3. 73	0.178
4. 72	0.010
5. 56/2	0.658
6. 56/1	0.700
7. 57	0.073
8. 54/3	0.010
TA 56	2.048

[No. O-14016/173/85-GP]

का. आ. 1309.—यहां केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हाजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के पम्पिङ्ग के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि० द्वारा बिछाई जानी चाहिये।

और तब यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपलब्ध अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जन करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन 45, सुभाष नगर सावर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम हुसेनपुर तहसील रावोगढ़ जिला-गुना राज्य (मध्य प्रदेश)

अनुसूची

अनुक्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हैक्टर में)
1.	84	0.836
2.	80	0.042
3.	79	0.146
योग :— कुल क्षेत्रफल		1.024

[सं. O-14016/174/85-जी पी]

S.O. 1309.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Chanpura Tehsil : Raghogarh Distt. : Guna

SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	84	0.836
2.	80	0.042
3.	79	0.146
Total Area		1.024

[No. O-14016/174/85-GP]

का. आ. 1310—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन 45, सुभाष नगर सावेर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

1704 GI/84-7

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम रुठीयाई तहसील राघोगढ़ जिला-गुना राज्य (मध्य प्रदेश)

अनुसूची

अनु क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर्स में)
1.	140	3.657
2.	145	0.031
3.	182	0.084
4.	183/1	6.009
5.	184	1.097
6.	185	0.648

योग:- कुल क्षेत्रफल 11.526

[सं. O- 14016/175/85-जी पी]

S.O. 1310.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Ruthiyai Tehsil : Raghogarh Distt : Guna

SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	140	3.657
2.	145	0.031
3.	182	0.084
4.	183/1	6.009
5.	184	1.097
6.	185	0.648
Total Area		11.526

[No. O-14016/175/85-GP]

का. आ. 1311—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजीरा- बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन

के लिये पाईप लाइन भारतीय गैस प्राधिकरण लि० द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्-द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे., पाईप लाइन 45, सुभाष नगर सांवेर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम बावड़ीखेड़ा तहसील राधोगढ़ जिला-गुना राज्य (मध्य प्रदेश)

अनुसूची

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेर्स में)
1.	83	0.105
2.	118	0.523
3.	117/2	0.314
4.	117/1 में से	0.470
5.	117/1 में से	0.115
6.	117/3	0.460
7.	95/3	0.031
8.	115	0.021
9.	116	0.031
10.	117/8	0.021
11.	122	0.021
12.	130/1	0.021
योग:- कुल क्षेत्रफल		2.133

[सं. O-14016/176/85- जी पी]

S.O. 1311.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Bawadi Khedi Tehsil : Raghogarh Distt : Guna
SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	83	0.105
2.	118	0.523
3.	117/2	0.314
4.	117/1M.S.	0.470
5.	117/1M.S.	0.115
6.	117/3	0.460
7.	95/3	0.031
8.	115	0.021
9.	116	0.031
10.	117/8	0.021
11.	122	0.021
12.	130/1	0.021
Total Area		2.133

[No. O-14016/176/85-GP]

का. आ. 1312—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्-द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग एच. बी. जे. पाइप

लाईन 45, सुभाष नगर सांवेर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाईन प्रोजेक्ट

ग्राम पिपरिया तहसील गुना जिला-गुना राज्य (मध्य प्रदेश)

अनुसूची

अनु क्र. खसरा नं. उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)

1.	301	0.010
2.	302	0.010
3.	303	0.292
4.	304	0.072
5.	305	0.042
6.	309 में से	0.130
7.	309 में से	0.450
8.	309 मी.	0.200
9.	310	0.178
10.	311/1	0.062
11.	418/3/1	0.259
12.	422	0.769
13.	421	0.052
14.	427	0.575
15.	428	0.062
16.	432	0.032
17.	426	0.042
18.	433	5.120
19.	434	0.057

योग :- कुल क्षेत्रफल 3.414

[सं. O- 14016/177/85-जी पी]

S.O. 1312.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Barcilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Pipariya Tehsil - Guna Distt. : Guna

SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	301	0.010
2.	302	0.010
3.	303	0.292
4.	304	0.072
5.	305	0.042
6.	309 M.S.	0.130
7.	309 M.S.	0.450
8.	309 M.	0.200
9.	310	0.178
10.	311/1	0.062
11.	418/3/1	0.259
12.	422	0.769
13.	421	0.052
14.	427	0.575
15.	428	0.062
16.	432	0.032
17.	426	0.042
18.	433	0.120
19.	434	0.057
Total Area		3.414

[No. O-14016/177/85-GP]

का.आ. 1313—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजीरा- बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसा लाईनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग का अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्-द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाईन 45, सुभाष नगर सांवेर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी

मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाईप लाईन प्रोजेक्ट

ग्राम मकिन तहसील गुना जिला गुना राज्य (मध्य प्रदेश)

अनुसूची

अनु क्र.	खसरा नं०	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
1.	26	0.188
2.	24	0.200
3.	27	0.010
4.	20 मी.	0.262
5.	16	0.072
6.	21	0.306
7.	15	0.310
8.	14	0.105
9.	13/2	0.090
10.	106/2/1/ड	0.215
11.	106/2/6	0.062
12.	106/2/1क	0.220
13.	108	0.209
14.	111	0.010
15.	107/2	0.261
16.	109	0.460
17.	110	0.175
18.	25	0.042
19.	20 मी.	0.021
योग कुल क्षेत्रफल		3.218

[सं० O-14016/178/85-जी पी]

S.O. 1313.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Mawan Tehsil : Guna Distt. : Guna

SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	26	0.188
2.	24	0.200
3.	27	0.010
4.	20M.	0.262
5.	16	0.072
6.	21	0.306
7.	15	0.310
8.	14	0.105
9.	13/2	0.090
10.	106/2/1/D	0.215
11.	106/2/6	0.062
12.	106/2/1 K	0.220
13.	108	0.209
14.	111	0.010
15.	107/2	0.261
16.	109	0.460
17.	110	0.175
18.	25	0.042
19.	20M.	0.021
Total Area		3.218

[No. O-14016/178/85-GP]

का. आ. 1314.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्य प्रदेश राज्य में हजिरा-बरेली जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाईप लाइन 45, सुभाष नगर सांवर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम—अहीरखेड़ी तहसील—राधोगढ़ जिला—गुना
राज्य (मध्य-प्रदेश)

अनुसूची

अनु क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेर्स में)
1.	233	0.376
2.	234	0.596
3.	213/1मीन	0.314
4.	200	0.105
5.	195	0.031
6.	189/2	0.262
7.	191	0.021
8.	146	0.010
9.	192	0.596
10.	232	0.030
11.	119	0.052
12.	193	0.010
13.	213/1/3	0.261
14.	215	0.261
15.	199	0.095
16.	190	0.083
17.	198/3	0.104

योग:—कुल क्षेत्रफल 3.207

[सं. O-14016/179/85- जी पी]

S.O. 1314.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State Pipeline should be laid by the Gas Authority of India Limited.

And Whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Aheera Khedi Tehsil : Raghogarh Distt. : Guna

SCHEDULE

S. No.	Survey No.	Area to be Acquired for R.O.U. in Hectare
1.	233	0.376
2.	234	0.596
3.	213/1 Me.n	0.314
4.	200	0.105
5.	195	0.031
6.	189/2	0.262
7.	191	0.021
8.	146	0.010
9.	192	0.596
10.	232	0.030
11.	119	0.052
12.	193	0.010
13.	213/1/3	0.261
14.	215	0.261
15.	199	0.095
16.	190	0.083
17.	198/3	0.104
Total Area		3.207

[No. O-14016/179/85-GP]

का. आ. 1315—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाइप लाइन 45, सुभाष नगर सावर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति किनिविष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट
ग्राम गोपालपुरा तहसील : राधागढ़ जिला गुना : राज्य (मध्य प्रदेश)
(अनुसूची)

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेर्स में)
1.	2/1	0.209
2.	1	0.042
3.	2/3	0.261
योग कुल क्षेत्रफल		0.512

[सं. O—14016/180/85-जी. पी.]

S.O. 1315.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Barilly to Jagdishpur in Madhya Pradesh State pipeline should be laid by the Gas Authority of India Limited.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

HBJ GAS PIPE LINE PROJECT

Village : Gopalpura Tehsil : Raghogarh Distt. : Guna

SCHEDULE

S. No.	Survey No.	Area to be acquired for R.O.U. in hectare
1.	2/1	0.209
2.	1	0.042
3.	2/3	0.261
Total Area		0.512

[No. O—14016/180/85-GP]

का. आ. 1316:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मन्त्रालय की अधिसूचना का. आ. सं. 4533 तारीख 10-12-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में

विनिर्दिष्ट भूमि के उपयोग के अधिकार को पाइप लाइन को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजीरा से बरेली से जगदीशपुर तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : पंचमहल तालुक : अभिखेडा

गांव	सर्वे नं.	हेक्टेयर	आर.	से.
करोली	330	11	41	80
		00	09	80

[सं. O—14016 / 435 / 84 -जी. पी.]

S.O. 1316.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 4550 dated 10-12-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the

right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Pipeline from Hajira—Bareilly—Jagdishpur

State : Gujarat District : Panchmahal Taluka : Limkheda

Village	Survey No.	Hec-tare	Are	Cen-tiare
Karoli	330	11	41	80
	Kotar	00	09	80

[No. O—14016/435/84-GP]

का. आ. 1317.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मन्त्रालय की अधिसूचना का. आ. सं. 4550 तारीख 10-12-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजिरा से बरेली से जगदीशपुर तक पाइप लाइन बिछाने के लिए राज्य—गुजरात जिला—पंचमहल तालुका—हालोत्र

गांव	ब्लॉक नं०	हेक्टर	आर	से०
1	2	3	4	5
ताजपुरा	47	0	35	00
	49	0	03	00

1	2	3	4	5
	48	0	04	00
	46	0	15	00
	45	0	34	00
	44	0	09	00
	43	0	00	10
	42	0	15	00
	41	2	73	00
	41	0	03	20
	40	2	66	75

[सं. O—14016 / 453 / 84-जी. पी.]

S.O. 1317.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 4550 dated 10-12-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (30 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to this notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Pipeline from Hazira—Bareilly—Jagdishpur

State : Gujarat District : Panchmahal Taluka : Halol

Village	Block No.	Hec-tare	Are	Cen-tiare
Tajpura	47	0	35	00
	49	0	03	00
	48	0	04	00
	46	0	15	00
	45	0	34	00
	44	0	09	00
	43	0	00	10
	42	0	15	00
	41	2	73	00
	41	0	03	20
	40	2	66	75

[No. O—14016/453/84-GP]

का. आ. 1318.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की

उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मन्त्रालय की अधिसूचना का. आ. सं. 4353 तारीख 10-12-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार को पाईप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विश्वास करने के पश्चात् इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का उपयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजीरा से बरेली से जगदीशपुर तक पाईप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : पंचमहल तालुक : हालोल

गाव	सर्वे नं.	हेक्टर	आर.	से.
वरमडा	77/2	0	01	00
	77/1	0	22	00
	77/3	0	21	00
	77/5	0	05	00
	76/5ए	0	16	00
	76/5	0	09	00
	76/2	0	06	00
	76/3	0	16	00
	84/4	0	12	00
	84/5	0	14	00
	79/2	0	00	32
	83/2	0	04	00
	83/3	0	09	00
	82/1/1	0	01	00
	85/6	0	06	00
	85/3	0	30	00
	85/2/2	0	10	00

[सं. O-14016/456/84-जी. पी.]

S.O. 1318.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 4353 dated 10-12-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrance.

SCHEDULE

Pipeline from Hajira Bareilly Jagdishpur

State : Gujarat District : Panchmahal Taluka : Halol

Village	Survey No.	Hec-tare	Are	Cen-tiare
Varsada	77/2	0	01	00
	77/1	0	22	00
	77/3	0	21	00
	77/5	0	05	00
	76/5A	0	16	00
	76/5	0	09	00
	76/2	0	06	00
	76/3	0	16	00
	84/4	0	12	00
	84/5	0	14	0
	79/2	0	00	32
	83/2	0	04	00
	83/3	0	09	00
	82/1/1	0	01	00
	85/6	0	06	00
	85/3	0	30	00
	85/2/2	0	10	00

[No. O-14016/456/84-GP]

का. आ. 1319.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची से वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हिनबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, एच. बी. जे. पाईप लाइन 45, सुभाष नगर, सांवेर रोड, उज्जैन (म. प्र.) 456001 को इस अधिसूचना की तारीख 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफत।

एच. बी. जे. पाइप लाइन प्रोजेक्ट

ग्राम : सकतपुर, तहसील : राघोगढ़, जिला गुना, राज्य (मध्यप्रदेश)

अनुसूची

अनु० क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेर्स में)
1.	157 / 1	0.344
2.	159 / 2	0.262
3.	158	0.439
4.	160 / 2	0.125
5.	171	0.314
6.	172 / 1	0.396
7.	157 / 2	0.021
योग : कुल क्षेत्रफल		1.901

[सं. ओ०-14016 / 169 / 85-जी. पी.]

एम. एस. श्रीनिवासन, उप सचिव

S.O. 1319.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira-Bareilly to Jagdishpur in Madhya Pradesh State pipe line should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, HBJ Gas Pipe Line, 45, Subhash Nagar, Sanwer Road, Ujjain (M.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

1704 GI/84-8

HBJ GAS PIPE LINE PROJECT

Village : Sakatpur. Tehsil : Raghogarh, Distt. : Guna

SCHEDULE

S. No.	Survey No.	Area to be acquired (for R.O.U. in hectare)
1.	157/1	0.344
2.	159/2	0.262
3.	158	0.439
4.	160/2	0.125
5.	171	0.314
6.	172/1	0.329
7.	157/2	0.021
TOTAL AREA		1.901

[No. O-14016/169/85-GPJ
M.S. SRINIVASAN, Dy. Secy.]

स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

नई दिल्ली, 14 मार्च, 1985

का. आ. 1320.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खंड (क) का अनुसरण करते हुए तथा हिमाचल प्रदेश सरकार से परामर्श करते हुए केन्द्रीय सरकार ने इन्दिरा गांधी मेडिकल कॉलेज, शिमला के निदेशक-प्रिंसिपल, डा. एन. के. वैद्य को डा. ए. एन. मेहरोत्रा के स्थान पर जिन्होंने त्याग पत्र दे दिया है, 13 मार्च 1984 से भारतीय आयुर्विज्ञान परिषद् का सदस्य मनोनीत किया है;

अतः अब उक्त अधिनियम की धारा 7 की उपधारा (4) के साथ पठित धारा 3 की उपधारा (i) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या का० घा० 138 में निम्नलिखित और संशोधन करती है; अर्थात्

उक्त अधिसूचना की "धारा 3 की उपधारा (1) के खंड (क) के अधीन मनोनीत" शीर्ष के अंतर्गत क्रम संख्या 21 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियाँ रखी जाएँ, अर्थात्:—

"21 डा. एन. के. वैद्य,

निदेशक-प्रिंसिपल

इन्दिरा गांधी मेडिकल कॉलेज,

शिमला।"

[सं. वी. 11013/13/84-एम. ई. (पी.)]

चन्द्र भान, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 14th March, 1985

S.O. 1320.—Whereas the Central Government in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Himachal Pradesh have nominated Dr. N. K. Vaidya, Director-Principal, Indira Gandhi Medical College, Simla to be a member of the Medical Council of India with effect from the 13th March, 1984 vice Dr. A. N. Mehrotra, since resigned;

Now, therefore, in pursuance of sub-section (1) of section 3 read with sub-section (4) of section 7 of the said Act, the Central Government hereby makes the following further

amendment in the notification of the late Ministry of Health No. S.O. 138, dated the 9th January, 1960, namely:—

In the said notification, under the heading "Nominated under clause (a) of sub-section (1) of section 3", for serial number 21 and the entry relating thereto, the following serial number and entry shall be substituted, namely:—

"21. Dr. N. K. Vaidya,
Director-Principal,
Indira Gandhi Medical College,
Simla."

[No. V-11013/13/84-ME(P)]
CHANDER BHAN, Under Secy.

एन.के.वाय्दया "ब्ल्यू क्रॉस ऑफ इंडिया", मद्रास, के अध्यक्ष कैप्टैन वी. सुन्दरम का तत्काल से आगामी आदेशों तक भारतीय पशु चिकित्सा बोर्ड का सदस्य नामांकन करने है।

[सं. 14-6/85-एन.डी.-1]

के. जी. कृष्णमूर्ति, उप-सचिव

MINISTRY OF AGRICULTURE & RURAL
DEVELOPMENT

(Department of Agriculture & Co-operation)

New Delhi, the 6th March, 1985

S.O. 1321.—Under provisions of Sub-section (1)(bc) of Section 5 of the Prevention of Cruelty to Animals Act, 1960, as amended upto 30th July, 1982, the Central Government hereby nominate Captain V. Sundram, President, Blue Cross of India, Madras as Member of the Animal Welfare Board of India with immediate effect and until further orders.

[No. 14-6/85-LD.1]

K. G. KRISHNAMOORTHY, Dy. Secy.

कृषि और ग्रामीण विकास मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 6 मार्च, 1985

का.आ. 1321.—केन्द्रीय सरकार, 30 जुलाई, 1982 तक यथा संशोधित पशु क्रूरता निवारण अधिनियम, 1960 की धारा 5 की उपधारा (1) (बी. सी.) के उपबन्धों के तहत

इम्पान, खान और कोयला मंत्रालय

(कोयला विभाग)

नई दिल्ली, 13 मार्च, 1985

का. आ. 1322.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उप-धारा (1) के अधीन, भारत के राजपत्र, भाग 2, खंड 3, उप-खंड (ii), तारीख 19 मार्च, 1983 में प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं. का. आ. 1566 तारीख 1 मार्च, 1983 द्वारा उससे संलग्न अनुसूची में तथा इससे संलग्न अनुसूची में यथा विनिर्दिष्ट परिक्षेत्र में 11163.739 हेक्टर (लगभग) या 27586.16 एकड़ (लगभग) माप की भूमि की बाबत कोयले का पूर्वक्षण करने के अपने आणय की सूचना दी थी;

और उक्त भूमि की बाबत उक्त अधिनियम की धारा 7 की उप-धारा (1) के अधीन कोई सूचना नहीं दी गई थी;

अतः, अब: केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए 18 मार्च, 1985 से प्रारम्भ होने वाली एक वर्ष की और अवधि को ऐसी अवधि के रूप में विनिर्दिष्ट करती है जिसके भीतर केन्द्रीय सरकार उक्त भूमि या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन करने के अपने आणय की सूचना देती है।

अनुसूची

धर्मजयगढ़ ब्लॉक

[मंड—रायगढ़ कोयला क्षेत्र

जिला रायगढ़ (मध्य प्रदेश)]

क्रम सं.	ग्राम	तहसील	पटवारी हल्का सं.	खेबट सं.	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1	2	3	4	5	6	7	8
1.	अमलीटीकरा	धर्मजयगढ़	2	1	रायगढ़	416.827	पूर्ण
2.	लक्ष्मीनगर यू/एस *	"	3	—	"	390.118	पूर्ण
3.	ओगना	"	37	12	"	1222.557	पूर्ण
4.	भंडारी मुद्रा यू/एस*	"	37	—	"	35.483	पूर्ण
5.	धर्मजयगढ़	"	40	116	"	1941.024	पूर्ण
6.	मंडारमार	"	40	195	"	157.018	पूर्ण
7.	डारोडह	"	40	112	"	630.501	पूर्ण
8.	बेसी कालोनी	"	41	—	"	794.00	पूर्ण

1	2	3	4	5	6	7	8
9.	धर्मजयगढ़ कालोनी	धर्मजयगढ़	41	—	रावबढ़	859.00	पूर्ण
10.	दुर्गापुर	„	42	114	„	791.971	पूर्ण
11.	साहपुर	„	42	216	„	282.066	पूर्ण
12.	तराईमार	„	42	105	„	418.850	पूर्ण
13.	बेसी	„	42	164	„	331.028	पूर्ण
14.	कोईलार	„	42	46	„	940.896	पूर्ण
15.	शेर वन बीजा पत्रा (वन ब्लॉक)	„	(278 से 286 खंड)			1952.400	पूर्ण

कुल योग क्षेत्र 11163.739

हेक्टर (लगभग) या 27586.16 एकड़ (लगभग)

सीमा वर्णन

- क—ख रेखा ग्राम धर्मजयगढ़ और अतिरिक्त वन की सामान्य सीमा के साथ-साथ जाती है और बिन्दु “ख” पर मिलती है।
- ख—ग रेखा ग्राम धर्मजयगढ़ की उत्तरी सीमा के जो कि ग्राम सेमीयत गवरधुतरी की दक्षिणी सीमा भी है, साथ-साथ जाती है और बिन्दु “ग” पर मिलती है।
- ग—घ रेखा ग्राम अमलीटिकरा, गवरधुतरी की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु “घ” पर मिलती है।
- घ—ङ रेखा ग्राम अमलीटिकरा, लक्ष्मीपुर की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु “ङ” पर केरजा नदी की मध्य रेखा से मिलती है।
- ङ—च रेखा केरजा नदी की मध्य रेखा से आरम्भ होती है और ग्राम लक्ष्मी नगर तथा आरक्षित वन की सामान्य सीमा के साथ-साथ जाती है और बिन्दु “च” पर मिलती है।
- च—ज रेखा ग्राम लक्ष्मीनगर और आरक्षित वन की सामान्य सीमा के साथ-साथ जाती है और मंड नदी की मध्य रेखा बिन्दु “ज” पर मिलती है।
- ज—झ रेखा मंड नदी के मध्य रेखा के साथ-साथ जाती है और बिन्दु “झ” पर मिलती है।
- झ—ञ रेखा मंड नदी की मध्य रेखा और उसके बाद कोईलार खादगांव गांवों की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु “ञ” पर मिलती है।
- ञ—ट रेखा ग्राम कोईलार, बेसी कालोनी की दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु “ट” पर मिलती है।
- ट—ठ रेखा आरक्षित वन शेरवनबीजा पत्रा ब्लॉक की दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु “ठ” पर मिलती है।
- ठ—ड रेखा आरक्षित वन शेरवनबीजा पत्रा ब्लॉक की पूर्वी सीमा के साथ-साथ जाती है और बिन्दु “ड” पर मिलती है।
- ड—ण रेखा ग्राम डारीडिह, ओंगना की दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु “त” पर मिलती है।
- त—थ रेखा ग्राम ओंगना और आरक्षित वन की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु “थ” पर मिलती है।
- थ—क रेखा ग्राम ओंगना, भंडारीमुड़ा और आरक्षित वन की सम्मिलित सीमा के साथ-साथ जाती है और आरम्भिक बिन्दु “क” पर मिलती है।

[सं. 19/81/82-सीएल/सी ए]

समय सिंह, अवर सचिव

MINISTRY OF STEEL, MINES AND COAL

(Department of Coal)

New Delhi, the 13th March, 1985

S.O. 1322.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 1566 dated the 1st March, 1983 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 19th March, 1983, the Central Government gave notice of its intention to prospect for coal in lands measuring 11163.739 hectares (approximately) or 27586.16 acres (approximately) in the locality specified in the Schedule appended thereto as also in the Schedule hereto annexed;

And whereas in respect of the said lands, no notice under sub-section (1) of section 7 of the said Act has been given;

Now, therefore, in exercise of the powers conferred by the said sub-section (1) of section 7, the Central Government hereby specifies a further period of one year commencing from the 18th March, 1985 as the period within which the Central Government may give notice of its intention to acquire the said lands or any rights in or over such lands.

SCHEDULE
DHARAMJAIGARH BLOCK
(MAND-RAIGARH COALFIELDS)
DISTRICT RAIGARH (MADHYA PRADESH)

Sl. No.	Village	Tahsil	Patwari Halka No.	Khewat No.	District	Area in hectares	Remarks
1.	Amlitikra	Dharamjaigarh	2	1	Raigarh	416.827	Full
2.	Luxminagar Un-surveyed	-do-	3	—	-do-	390.118	Full
3.	Ongna	-do-	37	12	-do-	1222.557	Full
4.	Bhandarimuda Un-surveyed	-do-	37	—	-do-	35.483	Full
5.	Dharamjaigarh	-do-	40	116	-do-	1941.024	Full
6.	Medarmar	-do-	40	195	-do-	157.018	Full
7.	Darridih	-do-	40	12	-do-	630.501	Full
8.	Baisi Colony	-do-	41	—	-do-	794.00	Full
9.	Dharamjaigarh Colony	-do-	41	—	-do-	859.00	Full
10.	Durgapur	-do-	42	114	-do-	791.971	Full
11.	Sahpur	-do-	42	216	-do-	282.066	Full
12.	Taraimar	-do-	42	105	-do-	418.850	Full
13.	Baisi	-do-	42	164	-do-	331.028	Full
14.	Koilar	-do-	42	46	-do-	940.896	Full
15.	Sherbanbija Patra (Forest Block)	-do-	(278 to 286 compartment)			1952.4000	Full
Grand Total Area:						11163.739 hectares (approximately)	
						OR	
						27586.16 acres (approximately)	

BOUNDARY DESCRIPTION:

- A-B Line passes along the common boundary of village Dharamjaigarh and reserve forest and meets at point 'B'.
- B-C Line passes along the northern boundary of villages Dharamjaigarh which is also southern boundary of villages Semipat, Gabardhutri and meets at point 'C'.
- C-D Line passes along the common boundary of villages Amlitikra, Gabardhutri and meets at point 'D'.
- D-E Line passes along the common boundary of villages Amlitikra, Luxmipur and meets centre line of river Kerja at point 'E'.
- E-F-G Line starts from the centre line of river Kerja and passes along the common boundary of village Luxminagar and reserve forest and meets at point 'G'.
- G-H Line passes along the common boundary of village Luxminagar and reserve forest and meets centre line of river Mand at point 'H'.
- H-I Line passes along the centre line of river Mand and meets at point 'I'.
- I-J Line starts from the centre line of river Mand then along common boundary of villages Koilar, Khadgaon and meets at point 'J'.
- J-K Line passes along the southern boundary of villages Koilar, Baisi Colony and meets at point 'K'.
- K-L Line passes along the southern boundary of reserve forest Sherbanbija Patra Block and meets at point 'L'.
- L-M-N Line passes along the eastern boundary of reserve forest Sherbanbija Patra Block and meets at point 'N'.
- N-O-P Line passes along the southern boundary of villages Darridih, Ongna and meets at point 'P'.
- P-Q Line passes along the common boundary of villages Ongna and reserve forest and meets at point 'Q'.
- Q-A Line passes along the common boundary of villages Ongna, Bhandarimuda and reserve forest and meets at starting point 'A'.

[No. 19/81/82-C1/CA]

SAMAY SINGH, Under Secy.

भूमि मंत्रालय

नई दिल्ली, 14 मार्च, 1985

का. आ. 1323.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्राय सरकार, स्टेट बैंक ऑफ़ मैसूर के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करता है, जो केन्द्राय सरकार को 6-3-85 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 14th March, 1985

S.O. 1323.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in Annexure in the industrial dispute between the employers in relation to the State Bank of Mysore and their workmen, which received by the Central Government on 6th March, 1985.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated this the 21st day of February, 1985

PRESENT :

Sri R. Ramakrishna, B.A., B.L., Presiding Officer.
Central Reference No. 11 of 1980

I PARTY

Shri J. Kumar,
No. 26, Cooks Road A,
Arunacala Mudaliar,
Street Cross,
Bangalore-1.

II PARTY

Vs. The Chairman and the
Managing Director,
State Bank of Mysore,
Head Office,
Bangalore-9.

APPEARANCES :

For the I Party—Sri B.A. Raja Rao Sindh, Advocate,
Bangalore.

For the II Party—Sri C. M. Nagabushana, Advocate,
Bangalore.

REFERENCE :

(Government Order No. L-12012/46/80-D.I.A dated
20-11-80)

AWARD

The Central Government after forming an opinion that an industrial dispute exists between the I Party and the II Party has referred the matter for adjudication in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

SCHEDULE

"Whether the action of the management of State Bank of Mysore, Bangalore in terminating the services of Shri J. Kumar, Sub-staff under their letter bearing reference No. Estt./0343 dated 10th July 1976 is justified? If not, to what relief is the workman concerned entitled?"

2. After the dispute is registered, the notices were issued to both the parties and they have filed their respective statements of claims on the points at issue.

3. The I Party-workman who has been removed from service for the continuous absence from duty has contended that he was appointed as a Sub-staff with effect from 19-4-68

and his service was confirmed and he has worked with the utmost satisfaction until he was forced to take medical treatment on account of Jaundice during the month of December 1975. He has further contended that he took his treatment in the Bowring & Lady Curzon hospital, Bangalore from 3-12-75 and submitted leave letters for his absence and ultimately received letter from the management on 28-7-76 calling upon him to report for duty immediately otherwise his name will be struck off. Since he was under the medical treatment he could not move physically and wrote a letter to continue his leave and after he is cured he has approached the management with a medical certificate and a fresh leave letter for his absence with effect from 7-9-76 and he was not permitted to report for duty in spite of his best efforts and he has contacted almost all the officers.

4. He has further contended that he has put up more than 10 years of continuous service and his absence is due to the above illness and his termination is deliberate, arbitrary and illegal. He has also contended that in view of his continuous service the management should have followed the provisions of Chapter V-A and since the same was not followed his termination is illegal and unjustified. He has further contended that due to the tendency of the management he has raised the conciliation which was ended in failure and hence he prayed to pass an award directing the II Party to reinstate him with full back wages, continuity of service and consequential benefits with costs.

5. The II Party have denied all the averments made by the I Party and contended that the I Party was in the habit of absenting himself unauthorisedly from the beginning of his service and therefore a show cause notice was issued on 19-6-74 and increment for six months was stopped as a punishment. They have further contended that he has been transferred to Cox Town Branch and even there also he began to absent himself unauthorisedly and the II Party sanctioned him 550 days leave on loss of pay till October 75 and again he remained absent and when he was called upon to produce the medical certificate when he came to the Bank on 7-1-76 and afterwards he has simply abandoned the service and after issue of a notice on 10-7-76 replied stating that he was not well and hence not reported for duty till 8-9-76. It is further contended that all the allegations raised by the I Party are false and the medical certificate referred to is only to the effect that he was an out-patient and as is evident from his past behaviour that he was absenting himself unauthorisedly and abandoned his service. Hence the act of the II Party is justified in law and Chapter V-A is not applicable to the facts of this case and the action of the II Party in removing the name of the I Party workman from the rolls is justified.

6. After the claim statements the dispute was posted for recording evidence on 1-7-82 and the parties have successfully absented themselves and when they are present they sought for time which is borne out from the order sheet maintained for this dispute. Since the II Party has to prove the action taken by them is justified the case was finally posted for their evidence on 1-12-84 and since the II Party and their counsel were absent on that day, the evidence on their behalf have been closed and the case was posted for evidence of the I Party to 18-12-84. The I Party and their counsel have not appeared before this Tribunal from the time I assumed charge of this Tribunal and hence a notice under R. P. A. D. was issued to the I Party workman which has been returned with an endorsement that no such person is living in the address given. On a perusal of the order sheet it discloses that the notice of the dispute to the I Party under R.P.A.D. has returned three times without service on the same ground and the appearance of the I Party is without receipt of a notice from this Tribunal.

7. It is a very sad state of affairs that though the burden is caused on the I Party he has successfully dragged on this case and ultimately the evidence was closed and the case was posted for the evidence of the I Party and unfortunately the I Party also remained absent and has not shown any inclination to take the advantage of permitting them to lead

evidence, thereby this Tribunal has become helpless to adjudicate this dispute on merits. Hence I make the following award :—

AWARD

The reference is rejected for non co operation of both the parties.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me).

R. RAMAKRISHNA, Presiding Officer.
[No. L-12012(46)/80-D.II(A)]

नई दिल्ली, 18 मार्च, 1985

का. आ. 1324.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, स्टेट बैंक आफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-85 को प्राप्त हुआ था।

New Delhi, the 18th March, 1985

S.O. 1324.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government on the 12th March, 1985.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Disputes No. 92 of 1984

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal (Central).

BETWEEN

The workmen of State Bank of India, Medak District (A.P.).

AND

The Management of State Bank of India, Medak District (A.P.).

APPEARANCES :

Sri P. Sambasiva Rao, Advocate—for the workmen.

Sri K. Nageswara Rao, Officer, Region III, Regional Office, State Bank of India, Hyderabad—for the Management.

AWARD

The Government of India, Ministry of Labour by its Order No. L-12012/123/84-D.II(A), dated 22-11-1984 referred the following dispute under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 between the employers in relation to the management of State Bank of India District Medak (A.P. and their Workmen) to this Tribunal for adjudication :

“Whether the action of the management of State Bank of India, Thoopran Branch, P.O. Thoopran, Tq. Gagwel, District Medak (A.P.) in terminating the services of Smt. Ahmed Bee Sweeper-Attender w.e.f. 19-8-1982 is justified? If not, to what relief is the workman concerned entitled?”

This reference was registered as Industrial Dispute No. 92 of 1984 and notices were issued to both the parties.

2. The Counsel for the workmen filed claims statement on 24-1-1985. For the counter of the Management it was posted to 13-2-1985. On 13-2-1985 Sri K. Nageswar Rao, G.I.M. (Staff) for the Management represented that he wanted to settle the matter by giving appointment order to Smt. Ahmed Bee as part time Sweeper-Attender, and wanted time for settlement, accordingly time was given upto 25-2-1985. On 25-2-1985 both parties filed a Joint Memo dated 25-2-1985 stating that the matter is settled out of Court. They also filed the copies of settlement and the same is admitted by both parties and signed. Hence I find that the settlement is fair and just. Award is passed in terms of the Settlement. Copy of the Settlement is attached to the Award.

Given under my hand and the seal of this Tribunal, this the 25th day of February, 1985.

Sd./- Industrial Tribunal

Appendix of Evidence

NIL

J. VENUGOPALA RAO, Industrial Tribunal
[No. L-12012(123)/84-D.II(A)]

ANNEXURE

Terms of settlement arrived at between Smt. Ahmed Bee and the Management of State Bank of India, Region III, Regional Office, Hyderabad.

1. The Management of State Bank of India agrees to appoint Smt. Ahmed Bee as a part-time sweeper-cum-waterwoman on 1/3rd scale of wages. It will be a fresh appointment and not a reinstatement.
2. In view of the above gesture of goodwill, on the part of the Management Smt. Ahmed Bee agrees to be appointed as a part-time sweeper-cum-waterwoman on 1/3rd scale of wages, without insisting upon payment of back wages or any attendant benefits for the back period.
3. Smt. Ahmed Bee agrees not to raise the issue of payment of back wages or any attendant benefits at any forum, in future.
4. The appointment of Smt. Ahmed Bee as part-time sweeper-cum-waterwoman will take effect from the date she reports for duty at the branch where she is Posted.

Sd/-

Regional Manager,
Representative of Management
of State Bank of India, Region III,
Regional Office, Hyderabad.

Thumb impression
(LTI of Smt. Ahmed Bee)
W/o Abdul Nabee,
10th Block, H. No. 65,
Toopran, Gagwel (Tq.)
Medak District.

Dated : 24-1-1985

WITNESSES :

(1) Sd./- Abdul Nabi H/o Ahmed Bee,
Toopran,

Gagwel Tq. Medak District.

(2) Sd./- Old Yusuf

(2) Sd./- Illegible

H. No. 2-23/1 Ashmaipet Bompalli,
Secunderabad.

नई दिल्ली, 18 मार्च, 1985

का. आ. 1325.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-85 को प्राप्त हुआ था।

New Delhi, the 18th March, 1985

S.O. 1325.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the State Bank of Bikaner & Jaipur and their workmen, which was received by the Central Government on the 1st March, 1985.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR.

I. D. No. 87/83

In the matter of dispute between

Shri Deep Singh C/o The President U.P. Bank Karmchhari
Sangh 26/104, Birhana Road, Kanpur.

AND

State Bank of Bikaner and Jaipur
C/o The Manager State Bank of Bikaner
& Jaipur, Birhana Road Kanpur.

AWARD

The Central Govt. Ministry of Labour vide order L-12012/200/81. L. II(A) dated 29-3-82 referred the following dispute for adjudication:—

“Whether the action of the management of State Bank of Bikaner and Jaipur, Birhana Road, Branch, Kanpur is not absorbing Sri Deep Singh in Banks Service and terminating his services from 31-12-78 is justified?”

Petitioner filed statement of claim. Opposite Party W.S. After preliminary Contest Parties filed agreement/compromise and verified the same before me.

Let agreement award be passed in terms of compromise which shall form part of the award.

Copy enclosed :

(a) Application for passing no dispute award.

(b) Banks letter dated 13-12-84.

R. B. SRIVASTAVA, Presiding Officer
[No. L-12012(200)/81-D. II(A)]

TRUE COPY

STATE BANK OF BIKANER & JAIPUR

PERSONNEL DEPARTMENT

HEAD OFFICE

JAIPUR

Shri Deep Singh,
C/o Shri U. N. Shekri
26/104, Birhana Road,
Kanpur.

N : P/40/BW/873
Date : 13-12-84

Dear Sir,

REINSTATEMENT UNDER 270 DAYS CATEGORY

With reference to application dated the 20-9-84, we have to advise you to submit your application through the Branch Manager of our Bank where you had served last.

2. Please note to send alongwith the application particulars regarding the number of days and period of temporary appointment duly certified by the Branch Manager.

3. Since you have completed 270 days service between 1-7-1972 to 31-3-1980, we have considered your case for reinstatement as per our circular No. PER/115/83 dated the 10th November, 1983.

4. So, please get registered your name in the Employment Exchange, Kanpur alongwith working experience.

Yours faithfully,

Sd/-

MANAGER

PERSONNEL ADMINISTRATION

का. आ. 1326.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार, यूनियन बैंक ऑफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-3-85 को प्राप्त हुआ था।

S.O. 1326.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (17 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the Union Bank of India and their workmen which was received by the Central Government on the 8th March, 1985.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL.

NEW DELHI

I.D. No. 66/77

In the matter of dispute between :

Shri D. C. Sharma,
C/o Bhardwaj Ayurvedic Ashram,
Chaurasi, Mathura.

VERSUS

The Management of Union Bank of India,
Bombay.

APPEARANCES :

Shri S. S. Sethi for the Management.
Shri Tara Chand Gupta for the workman.

AWARD

The Central Government, Ministry of Labour by order dated 6th September, 75 No. L-12012/93/75-DHA referred the following dispute to Industrial Tribunal Delhi for adjudication :

“Whether the management of the Union Bank of India is justified in suspending Shri D. C. Sharma, Cashier-cum-Clerk of the Goverdhan Branch of the said Bank with effect from the 26th August, 1971 and in dismissing him with effect from the 6th December, 1974? If not, to what relief is the workman entitled?”

2. Mr. D. C. Sharma was appointed Clerk-cum-Cashier in the Union Bank of India w.e.f. 1-12-69 and was confirmed in 1970. He was granted a special allowance of Rs. 27/- P.M. for holding the bank's cash, keys and/or other valuables in safe custody and being responsible for the running of the cash Department by letter dated 8-1-70.

3. There was a withdrawal on forged cheque in the Saving Bank Account No. 714 in the name of Shri Raj Kumar on

14-6-71 in the sum of Rs. 8000/- and the workman was suspected of misappropriation of the said amount.

4. The workman is said to have made a confessional statement in the Regional Office of the Bank at New Delhi in this respect signed by him in the following terms :—(in Hindi)

"In the aforesaid Goverdhan Branch the bogus withdrawal form by means of which the misappropriation was made was all done by me and I had prepared all the related papers in connection therewith. Shri Arvind Shah, Manager, Goverdhan Branch is fully innocent in the matter. Whatever punishment is to be given in that connection should be given to me. I am extremely sorry that on account of me you and especially Shri Arvind Shah were put to mental torture and the responsibility for the same is mine. Mr. Shah fully relied upon me and I took undue advantage of it. If I am given another opportunity to serve the Bank, I take oath not to repeat any such act."

5. However, the complainant Om Parkash approached the Police and got recorded his complaint under sections 420/408 IPC against both Mr. Shah and Mr. D. C. Sharma. Mr. D. C. Sharma was suspended by order dated 26-8-71 "pending further investigation in the matter". He was arrested by the Police but was released by Sessions Judge, Mathura by order dated 12-9-71.

6. On 26-3-73 the Dy. General Manager of the Bank Mr. Raghu Raj issued a charge-sheet against him and appointed an Enquiry Officer. The Enquiry commenced on 16-10-73 and concluded on 28-7-74. The show-cause notice dated 26-8-74 was issued to the workman with the findings of the enquiry. The workman appeared on 6-12-74 and asked for 2 hours time to see the file and then address arguments but he was not allowed to do so and final orders were made on 6-12-74.

7. Workman's appeal dated 13-1-75 was dismissed by the Appellate Body on 21-10-75.

8. The workman has made the challenge to the Management action. It is pleaded that during enquiry the adjournment on 27-7-74 was wrongly refused to him. His representative could not come nor could his witnesses and the documents to be produced by him were in police custody and could not be procured that day but the enquiry officer did not grant adjournment and this was said to be an arbitrary action denying opportunity to the workman to defend himself.

9. The Management also failed to give proper opportunity to the workman of hearing against punishment proposed by the Enquiry Officer because even his request for looking at the file for two hours was refused.

10. The workman did not get hearing in appeal because the appeal was referred to a Board of DGM and A.G.M. whereas the D.G.M. was the person who charge-sheeted him and later became Head of the Bank but in that event the Board of Directors could have heard the appeal and not the lower functionaries D.G.M./AGM who could not be expected to do justice to the workman in appeal. The concerned officer having become their chief.

11. The powers of confirming authority by Mr. Raghuraj the then Dy. General Manager and the appeal would not be heard by a Bench of D.G.M. and A.G.M. The constitution of the Appellate Body was neither valid nor fair.

12. The workman alleged breaches of provisions of clause 19.14 of the Bipartite Settlement in the disposal of the appeal and the Appellate Body gave no hearing to him.

13. The workman also states that he had requested for change of enquiry Officer by letter dated 17-4-73 and letter dated 11-10-73 but the request was not considered and Mr. Agarwal, Enquiry Officer being very good friend of Mr. Shah could not be bring an independent and unbiased mind on the facts of the case.

14. The workman further refers to the Bipartite settlement and states that the punishment of dismissal could not have been given to him. The case registered with the police came

to naught and on account of closure of the case by the police neither his suspension nor the enquiry could proceed when the criminal charge failed against him. The proceedings against him were under clause 19.4 of the Bipartite settlement and he was not put on trial within a period of one year of the commission of the alleged offence.

15. The workman has taken a plea that when the prosecution proceedings taken against him did not result into his committal for trial and he was discharged in the criminal case against him he could only be liable to termination of service with three months' pay and allowances in lieu of notice in terms of clause 19.4 of the Bipartite Settlement but the Management could not dismiss him from service and the Bank's action dismissing him w.e.f. 9-12-74 was unauthorised.

16. A new enquiry by this Tribunal on the bank's application for additional evidence was said to be barred by the Supreme Court decision in Shambhu Nath Vs. Bank of Baroda, 1983-Lab IC 1697.

17. The validity of the suspension of the workman has been challenged by him. His case is that the chargesheet was issued to him only on 26-3-73 and this circumstances did not exist when he was suspended w.e.f. 26-8-71. At that time only the police case was registered against him on the complaint of Shri Om Parkash, father of Raj Kumar holder of the Saving Bank Account aforesaid. Police case was subsequently closed for want of incriminating evidence against the workman but no order for suspension of the workman or for keeping him under suspension pending departmental enquiry was ever passed by the Management and his suspension w.e.f. 26-8-71 pending further investigation in the matter was said to be illegal and unauthorised.

18. The Management of Union Bank of India contested the claim lodged by the workman and raised preliminary objections. The locus standi of Shri D. C. Sharma to file claim statement was challenged. The reference was said to be incompetent for want of demand raised against the Management before the order of reference and for want of espousal by the Union of the workman or substantial number of workmen. The challenge regarding suspension orders was said to be beyond the competence of the appropriate Government in the matter of making the reference.

19. On facts, it was pleaded that the enquiry held against the workman was proper and fair and the Management's action was legal and that the enquiry Officer had other evidence beside the confession of the workman and the fact of deposit of Rs. 8000 by the workman. On 14-6-71 when the amount of Rs. 8000 was withdrawn the Branch Manager was away to Mathura for depositing surplus cash of the bank and it was during his absence that the specimen signatures card given by Om Parkash was changed and the amount was withdrawn when the Manager came back the withdrawal was cancelled by him by verifying signatures on specimen signature card and on 16-6-71 the Manager learnt from Om Parkash that Rs. 8000 were fraudulently withdrawn from his account.

20. The confession made before Sh. G. S. Bhatnagar by the workman in his own hand could be relied upon and so also the deposit of Rs. 8000 by the workman on 18-8-71. Oral evidence was also led before the enquiry officer. The charge against Enquiry Officer being biased was repelled.

21. The Management pleads that the action of the management in suspending and dismissing the workman was legal and dismissing the workman was legal and justified and that there was no unfairness at all involved and that adjournments could be given only for proper and fair reasons and not for mere asking.

22. The reference made has been tried on the following issues settled on 11-3-76 by the then Presiding Officer of the Industrial Tribunal :

1. Whether the domestic enquiry is vitiated for reasons pleaded ?
2. Whether the workman sent a valid and proper demand notice to the Management ?
3. Whether the dispute needs espousal ? If so what is the effect in case there being no espousal.

23. The evidence led by the parties have been recorded. Mr. D. C. Sharma gave his own statement and the Management examined MW1 Shri B. S. Saxena, Post Master Kosi, MW2 Shri M. P. Rajput, an officer of the Bank, MW3 Shri S. K. Aggarwal, Superintendent Union Bank of India, MW4 Shri R. D. Bhutt Industrial Relations Superintendant and Shri C. Krishnamurthy, Sub-Manager, Industrial Relations, Grindlays Bank. Written arguments of the parties are on record and have been perused and Shri S. S. Sethi has been heard orally also.

24. The preliminary objections cannot prevent the examination of the main issue No. 1.

25. The workman sent a demand notice in the bank on 12-12-74 and sent a reminder on 18-3-75. Even otherwise there is no doubt about the dispute because making of a demand for reinstatement is not Sine Qua Non for an Industrial Dispute and has referred to the judgment in Shambhu Nath Vs. Bank of Baroda 1978(1) LLJ 484 by the Supreme Court and the questioning of dismissal before the Conciliation Officer and demand for reinstatement before him is sufficient.

26. The dispute relates to individual workman's dismissal and does not require espousal by a Union of workmen or a substantial body of workmen.

27. The first question to be examined is whether the action of the enquiry Officer on 27-7-74 in refusing to adjourn the enquiry on the workman's request was fair or not. It is to be seen that the workman in his evidence did not at all explain how the witnesses mentioned by him in his list of witnesses were relevant to the defence put up by him. In regard to his representative, he stated that he had contacted his representative but he could not come and the enquiry Officer mentioned the fact that the workman could not give the telephone number at which the representative was contacted and even if he was contacted by telephone in the Office, the representative could come to attend the Enquiry if he could attend the office.

28. In view of what is stated above, the list of witnesses filed by the workman becomes irrelevant and the reason for absence of his representative on 27-7-74 given by him becomes false. Both these facts would militate against the workman's claim that he was denied of reasonable opportunity of defence.

29. In respect of the workman's claim that he was not heard when the show-cause notice have been issued to him in respect of proposed punishment, it is to be seen that the workman had asked for personal hearing. He should be ready with whatever he had to say for personal hearing and not asked for two hours time then to see the file. This is harassment of the Officer concerned that when the matter comes up for personal hearing the workman instead of addressing the Officer seeks adjournment of two hours for preparing what he had to say.

30. The enquiry had already been completed and findings made and punishment proposed. The idea of personal hearing is that the workman should be able to canvass in person that may not be convessed or impressed in cold print. The request for two hours adjournment to the officer who allowed personal hearing was rather strange and if it was not allowed, this Tribunal will not accept the workman's plea that it was a case of denial of hearing by the officer concerned. It is rather a case of the workman himself not being able to put forth in words what he had to say against the proposed punishment.

31. The disposal of appeal by the Management is not so important because under section 11-A of the I.D. Act, 47 this Tribunal has the power of examining the findings of the Enquiry Officer to see whether they are to be confirmed or not and if they are to be set aside or modified the consequential effect of punishment of the workman can be examined here. It is on the point on relief that the matter can be of some consequence but if the relief is given of full back-wages on reinstatement from the date of dismissal the appellate body's conduct loses relevance.

32. Similar is the case in the matter of the request for change of enquiry Officer. If the findings of the Enquiry Officer are found to be biased they can be reversed and if the Enquiry is a mere formality on the evidence before the Tribunal the perverse findings can be quashed.

33. The present is a case where in a Rural branch only three persons were there, the Manager, Mr. D. C. Sharma Cashier-cum-Clerk and sub-staff. On 14-6-71 the Manager was out and the payment was made in his absence from the saving bank Account in question. The Manager has given evidence in the enquiry. The workman made a confessional statement in the Regional Office on 2-8-71 and deposited Rs. 8000 in the bank on 18-8-71 in the Sundry Creditors Account.

34. The aforesaid material facts have been considered by the Enquiry Officer and he has based his decision on them. The suit filed by the workman for refund of Rs. 8000 was dismissed but the workman's appeal against that decision is pending.

35. The workman contends that the alleged confession by him was not free and fair and that it was extracted out of him. In his letter dated 6-9-71 he mentioned that the confession was taken from him by inducement that you will be dealt with lenient view in the enquiry. He alleged in enquiry that he was threatened by Shri Bhatnagar and six other officers of the bank with beating and detention at night. Before the Tribunal he has alleged that he was threatened with dismissal and with being handed over to the Police.

36. The telegram about his withdrawal of confession on 13-8-71 and his alleged attempt on 13/8 and 14-8-71 to confirm his withdrawal do not inspire confidence. The alleged telegram did not reach Zonal Office and the attempts on 13-8 and 14-8-71 to confirm his withdrawal of confession were not put to Mr. Shah when he was in the witness box. The production of U.P.C. cannot be relied upon. In so far as telegram is concerned, the words mentioned by him would mean the larger amount of money than what is mentioned in the alleged telegram receipt produced.

37. The authenticity and voluntariness of the confession appears in the circumstances of the case. Om Parkash complainant had implicated both Mr. Shah Manager and the workman D. C. Sharma but on 14-8-71 Mr. Shah had gone out to deposit surplus cash. In case the confession of 2-8-71 was not voluntary, it is not credible that the workman would deposit cash of Rs. 8000 in sundry creditors account on 18-8-71. It is the Manager who will do so if the Manager was at fault.

38. It is common experience that a person who commits an offence or a defalcation or misappropriation of money becomes apprehensive and afraid and wants to keep his job. In order to avoid dismissal or termination of service he is likely to make a confession but if his expectation of retaining the job evaporates or somehow fails, he would turn round and retract his confession and blame the persons to whom the confession is made.

39. This is what precisely happened to this workman; if the confession made by him was not free, this workman would not have made the deposit of Rs. 8000 for the sundry creditors account on 18-8-74, more than a fortnight after the confession. If he made the payment without admitting his guilt, he would have insisted on the confessional statement being returned to him before he would make the deposit of Rs. 8000 or in the letter making the deposit he would make clear that the confession made by him was involuntary and may not be relied upon.

40. In his letter dated 6-9-71 his plea is that he was not bound by words got written from him in the confession by Mr. Bhatnagar by talking sweetly, and that he was too much worried when the confession was taken from him.

41. The letter dated 6-9-71 discounts any idea of terror, threat or use of police force against the workman. At the most it pleads inducement by Mr. Bhatnagar. The workman who can take contradictory pleas of inducement and coercion at different times condemns himself as untruthful and un-

reliable. I agree with the comment of the Enquiry Officer that if Mr. Sharma was clear in heart and had not done anything wrong, he could not be disturbed and worried.

42. Further, the comment of the Enquiry Officer that Mr. Sharma did not make any reference to earlier communications by him regarding his confession in letter dated 6-9-71 showed that there were no earlier communications on the point is also correct and does not require interference.

43. The workman has the audacity to urge that checking and comparison of signatures of customers on cheques was not his duty while accepting cheques and making payments in the absence of the Manager. This is additional evidence of his untruthfulness and incredibility.

44. In the circumstances of this case I am of very clear opinion that the confession made by the workman on 2-8-71 in the Regional Office was both free and fair and was voluntarily made by him believing that the confession would earn him leniency and would save his job. It was not made under threat or torture. The Management of course must have told him that his chance of retaining the job depend upon his coming duty with truth and the confession made by him was in the hope of obtaining leniency and retaining his job. I am unable to agree with the workman that the confession made by him on 2-8-71 was extracted out of him by any unfair means by the Management. The language of the confession which is in his own hand is revealing and shows repentance and does not appear to be a dictated language and the confession does not appear to be at the instance of and minded by the Management. The sundary creditors account is not a suspense account.

45. The Enquiry Officer rightly depended upon the confessional statement of the workman and the deposit of Rs. 8000 by him in the sundary creditors account on 18-8-71 and depended upon other evidence of Mr. Shah only additionally. This way of looking at the matter by the Enquiry Officer was proper and fair and does not show that the enquiry Officer made implicit reliance on the statement of Mr. Shah, Manager on account of being friendly with him. The approach of the Enquiry Officer in reaching his conclusions was both judicious and intelligent and the innocence of the workman could not be accepted in the circumstances disclosed including the conduct of the workman in making the confession and in making the payment of Rs. 8000 to the bank on 18-8-71.

46. It is to be seen that section 300 of the Criminal Procedure Code 1973 does not preclude a trial of a person who has only been discharged by the court. It is only when he had been acquitted in a trial by Criminal Court that a second trial is barred on the same facts for the same or similar offence. It is in the light of the above law that the Bipartite Settlement is to be read. The Bipartite Settlement protects a workman from being harassed when he has been found to be not guilty in a criminal trial and the settlement is based on the expectation that a criminal trial would be expeditious.

47. The provisions of the Bipartite Settlement paras 19.4 and 19.6 are as under :—

"9.4. If after steps have been taken to prosecute an employee or to get him prosecuted, for an offence, he is not put on trial within a year of the commission of the offence, the management may then deal with him as if he had committed an act of "gross misconduct" or if "minor misconduct", as defined below; provided that if the authority which was to start prosecution proceedings refuses to do so or come to the conclusion that there is no case for prosecution it shall be open to the management to proceed against the employee under the provisions set out below in Clauses 19.11 and 19.12 infra relating to discharge, but he shall be deemed to have been on duty during the period of suspension, if any, and shall be entitled to the full wages and allowances and to all other privileges for such period. In the event of the management deciding, after enquiry not to continue him in service, he shall be liable only for termination with three

months' pay and allowances in lieu of notice as provided in Clause 19.3 supra. If within the pendency of the proceedings thus instituted he is put on trial such proceedings shall be stayed pending the completion of the trial, after which the provisions mentioned in Clause 19.3 above shall apply".

19.6 An employee found guilty of gross misconduct may;

- (a) be dismissed without notice; or
- (b) be warned or censured, or have an adverse remark entered against him; or
- (c) be fined; or
- (d) have his increment stopped; or
- (e) have his misconduct condoned and be merely discharged."

48. Interpreting para 79.4 above in the light of the law laid down in section 300 Cr. P.C. 1973, it would seem clear that the Management wanted to prosecute the workman but they could not do so and the Management proceeded against him for disciplinary action when there was no trial of this workman within a year of the commission of the alleged misconduct which also amounted to an offence under the Indian Penal Code. I am of the opinion that the Management of the bank was fully empowered to deal with him for commission of act of gross misconduct in the circumstances of the case and that the proviso in para 19.4 does not apply to this workman. The disciplinary proceedings taken against the workman are not against the provisions of para 19.4 of the Bipartite Settlement.

49. It has been seen earlier that the departmental enquiry against this workman is not vitiated for reasons alleged by the workman and the entitlement of the Management to take disciplinary action against him for gross misconduct is not in doubt. The only question remains whether the punishment meted out to him is excessive or commensurate with his misconduct.

50. The workman had a clear record of service for less than two years before the commission of the misconduct by him in 1971. But the misconduct committed by him is so serious that no sort of dismissal of service is indicated. It is wholly unsafe to allow such an employee to work in a financial institution and the workman's conduct during the enquiry and thereafter in blaming and accusing all and sundry further disentitles him from being visited with any punishment less than dismissal from service.

51. The suspension of the workman was proper when there was a criminal complaint against him and is further proper when disciplinary action had been started against him before the closure of criminal case by the Magistrate and his discharge. The action of the Management both in suspending and dismissing this workman is upheld as justified. The workman is not entitled to any relief.

Further ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

Dated : February 28, 1985.

O. P. SINGLA, Presiding Officer

[No. I-12012(93)/75-D.II(A)]

का० आ० 1327.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, स्टेट बैंक ऑफ इंडिया के प्रबंधक से सम्बन्धित नियम-

जकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, नं० 2, धनबाद के पचास का प्रकाशित करता है, जो केन्द्रीय सरकार वा 4-3-85 को प्राप्त हुआ था।

S.O. 1327.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the State Bank of India, Hazaribagh branch and their workmen, which was received by the Central Government on the 4th March, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 28 of 1983

PARTIES:

Employers in relation to the management of State Bank of India, Hazaribagh Branch.

AND

Their Workmen.

PRESENT:

Shri I. N. Sinha, Presiding Officer.

APPEARANCES:

For the Employers: Shri S. K. Ghosh, Advocate.

For the Workmen: None.

STATE: Bihar. INDUSTRY: Bank.

Dhanbad, dated, the 26th February, 1985

AWARD

By Order No. L-12012/270/82/D-II(A), dated, the 31st March, 1983, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication:

"Whether the management of State Bank of India, in relation to its Kanhanhatti Branch, Dist. Hazaribagh in terminating the services of Shri Kedar Prasad Kesari, daily rated workman with effect from 5-7-82, is justified? If not, to what relief is the workman concerned entitled?"

2. In spite of notice issued to the concerned workman no written statement has been filed on his behalf although the workman had appeared and at several times prayed for time to file written statement. Finally a registered notice was sent to the workman on 6-12-84 fixing the date in the case on 10-1-85, but the concerned workman did not turn up and as such, the case was taken up for hearing ex-parte.

3. The management of State Bank of India has filed written statement.

4. The case of the management is that the concerned workman Kedar Prasad Kesari was not a workman within the meaning of Industrial Disputes Act. The concerned workman was never employed by the Bank for discharging any function in regard to Banking activity. He was engaged as casual labourer for doing odd jobs as and when necessity for such engagement arose in Kanhanhatti Branch of State Bank of India. He was engaged as casual labour for arranging stationery articles, coolie jobs etc. He had never been given any appointment letter and as such, there could be no question of termination of his service. He was a casual labourer and his name was not included in the establishment register of Kanhanhatti Branch of State Bank of India which includes

the names of only regular or temporary employees of the Bank. The payment or wages was made to the concerned workman from petty cash account. He had been employed as a labourer for a period of not more than 200 days during the period from 15-10-81 to 3-7-82 and as such he is not entitled to the benefits of the provisions of Section 25F of the Industrial Disputes Act. Since 3-7-82 the concerned workman was not engaged by the Bank as his services were not required. On the above facts it is submitted that the reference be answered in favour of the management.

5. The management has examined one witness Sri Chhatu Mahato who is an officer of State Bank of India. The management has also exhibited some documents in support of their case. The only question to be determined is whether the termination of service of the concerned workman from 5-7-82 was justified.

6. MW-1 Sri Chhatu Mahato who is presently posted as Manager (Personnel), Banking Division of Hazaribagh Branch of State Bank of India, has stated that he was the Branch Manager of Kanhanhatti Branch of State Bank of India from 19-9-81 to 30-6-84. He has stated that the concerned workman was engaged as a casual labourer for doing odd job as a coolie and was never appointed to discharge duties of Banking activities of the Bank. He has further stated that no appointment letter was given to the concerned workman and that no letter of termination was issued to him. He has produced the establishment register of the Branch which includes the name of the permanent and temporary staff of the Branch. Ext. M-1 is the establishment register which is also known as pay-sheet, but the same does not include the name of the concerned workman. Thus this Ext. M-1 will show that the concerned workman is neither a permanent nor temporary employee of Kanhanhatti Branch of State Bank of India. He has further stated that the payment of salary of permanent and temporary employees of the Bank is made through charges account, whereas the wages of casual labourers are paid through petty cash account under which head other petty expenses of the Bank are made. He has exhibited 43 vouchers which are marked Ext. M-2 series. All these vouchers are written by the concerned workman and the payment was made under the signature of MW-1 Sri Chhatu Mahato. This has been filed to show that the concerned workman was paid from petty cash account through vouchers and that his payment was not made through charges account under which head the permanent and temporary employees of the Bank are paid. He has further reiterated that the concerned workman had never been paid from the charges account. It will thus appear from his evidence and documents mentioned above that the concerned workman was neither a permanent nor a temporary employee of the Bank and that he was only a casual labourer who had worked as coolie to do odd jobs in the Bank which was not connected with the discharge of duties of Banking activities.

7. MW-1 has stated that the concerned workman had worked for 200 days in all and he has produced a chart Ext. M-3 which was prepared on the basis of the vouchers showing the work done by the concerned workman. As the concerned workman has not completed 240 days of work within one year prior to the stoppage of his work as such, the concerned workman is not entitled to any benefits of the provisions of Section 25F of the Industrial Disputes Act.

8. In view of the discussion made above I hold that the management of State Bank of India was justified in terminating the services of Shri Kedar Prasad Kesari, daily rated workman and that he is entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-12012(270)/82-D-II(A)]

कां० 1328.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय

सरकार, स्टेट बैंक ऑफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-85 को प्राप्त हुआ था।

S.O. 1328.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad, as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government on the 1st March, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 71 of 1982

PARTIES :

Employers in relation to the management of State Bank of India, Patna.

AND

Their Workmen

PRESENT :

Shri I. N. Sinha, Presiding Officer

APPEARANCES :

For the Employers : Shri S. K. Ghosh, Advocate.

For the Workmen : None.

STATE : Bihar

INDUSTRY : Bank

Dhanbad, dated the 22nd February, 1985

AWARD

By Order No. L-12012(379)/81-D.II(A), dated, the 20th July, 1982, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of State Bank of India, Patna, in terminating the services of Shri Hira Lal, Ex-Cashier, Arrah Branch with effect from 1-9-70 is justified? If not, to what relief is the workman entitled?"

2. In spite of several notices issued on the workman no written statement was filed on behalf of the concerned workmen. The concerned workman had appeared in the court at some stage but even then did not file his written statement. I had taken care to issue registered letters again before putting the case for ex-parte hearing, but the concerned workman did not turn up. As such, the case was taken up for hearing ex-parte.

3. The case of the management State Bank of India, Patna, is that the concerned workman Hira Lal was temporarily appointed on 16-9-1969 as Cashier at Arrah Branch of State Bank of India. He worked on occasional breaks till 31-8-1970. The service of the concerned workman was purely temporary in nature and his service was terminated at the close of business on 31-8-1970. In order to be permanently absorbed in Bank's service in the cadre of Clerk-Typist and or Clerk-cum-Cashier a candidate had to pass the requisite written and typing tests held by the Bank and in the event of his qualifying the written and typing tests the candidate was required

to appear before an Interview Board where his overall performance was listed according to merit and his appointment depended upon the vacancy available and his position in the merit list. The concerned workman did not appear in any examination for being permanently absorbed in the Bank's service. He could not continue a temporary employee for an indefinite period and, therefore his services were terminated according to the procedure then prescribed. On 16-9-1971 the concerned workman submitted a letter before the Branch Manager, State Bank of India, Arrah Branch for allowing him to continue in service as Cashier, but as his services were already terminated on 31-8-1970 there was no question of continuing his service. Thereafter the concerned workman did not question the validity of his termination and did not agitate for long seven years. The concerned workman is not entitled to the benefit of Section 25F of the Industrial Disputes Act as he had not worked for the period required under the law.

4. The management has examined Shri C. Ghosh an officer of the State Bank of India presently posted in Region No. II of the R.M.O. at Patna and is dealing with staff matters. He has supported the facts as stated in the written statement of the management regarding the date of appointment, the temporary nature of work and the date of termination of the service of the concerned workman. He has also stated about the procedure of permanent appointment in the Bank. He has stated that the concerned workman did not appear in any of the test for being appointed in permanent post. He has also stated that the concerned workman did not work for 240 days in one calendar year prior to the termination of his service. He has exhibited a chart (Ext. M-1) which shows the dates and number of days of the work done by the concerned workman in the Bank. It will appear from the said statement (Ext. M-1) that the concerned workman had worked for 230 days between 16-9-1969 and 31-8-1970. As the concerned workman had not completed 240 days of work in one calendar year prior to the termination of his service, the concerned workman is not entitled to the benefits of the provisions of Section 25F of the Industrial Disputes Act. It will also appear that the concerned workman was working purely temporary and that he was employed intermittently between September, 1969 and August, 1970. The management was, therefore, quite competent in terminating the services of the concerned workman.

5. In view of the discussion made above I held that the action of the management of the State Bank of India, Patna, in terminating the services of the concerned workman, Hira Lal, Ex-Cashier, Arrah Branch with effect from 1-9-1970 was justified and that he is not entitled to any relief.

I. N. SINHA, Presiding Officer

[No. L-12012/379/81-D.II(A)]

क्र० आ० 1329.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, स्टेट बैंक ऑफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2, बम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-85 को प्राप्त हुआ था।

S.O. 1329.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation

to the State Bank of India and their workmen, which was received by the Central Government on the 4th March, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY (CAMP AT JABALPUR)

Reference No. CGIT-2/6 of 1985

(Jabalpur No. CGIT/LC(R)(68)/82

PARTIES :

Employers in relation to the management of State Bank of India, Rajhara Branch, Bhilai, District Durg (M.P.)

AND

Their workmen.

APPEARANCES :

For the Employers—Shri G. C. Jain, Advocate.

For the Workmen—Shri Rajendra Menon, Advocate.

INDUSTRY : Banking STATE : Madhya Pradesh
Jabalpur, the 18th February, 1985

AWARD

(Dictated in the open Court)

By their Order No. L. 12012(403)/81-D.II(A), dated 21st October, 1982 (transferred vide Order No. S-11025(1)/85-D. IV(B) dated 8th February, 1985) the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 :—

“Whether the action of the management of State Bank of India Rajhara Branch (M.P.) in stopping payment of project Area Allowance to its staff with effect from 1-4-77 is justified? If not, to what relief the workmen are entitled?”

2. The claim of the workmen for what is known as Project Allowance is based on Clause 5.7 of the Agreement dated 31-3-1967 as entered into between the State Bank of India and All India State Bank of India Staff Federation. It is the contention of the workmen that at the time when the Branch of Rajhara was a Sub-branch attached to Bhilai Branch of the State Bank of India, the staff placed at Rajhara was earning the Project Area Allowance and it is further contended that even after the establishment of a fullfledged Branch at Rajhara sometime in the year 1975 the workmen continued to earn the said allowance almost for two years i.e. till 31-3-1967 and that thereafter the payment was stopped. The case of the workmen therefore is that since the allowance was withdrawn without following the procedure under Section 9A of the I.D. Act and since the allowance falls under item 3 of the Fourth Schedule of Industrial Disputes Act, in the absence of the notice or in the absence of the observance of procedure as laid down in Section 9A the stoppage is illegal and the workmen are entitled to arrears of allowance and continuance thereof.

3. The claim has been opposed by the management on the ground that Rajhara Branch where these workmen are now posted is neither within the Project Area nor is there any notification of the Central Government for inclusion of Rajhara Branch within the Project Area, as a result of which, the relevant clause of the agreement cannot govern the rights of the members of the staff of Rajhara Branch. It is further stated that till the time of Rajhara Branch was a Sub-Office under the Bhilai Branch the Project Area Allowance was paid to the staff who then formed part of Bhilai Branch staff and the management further contends that since now admittedly the Rajhara Branch is a fullfledged Branch Area and not under the Bhilai Branch there is no liability to pay the Project Allowance.

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|---|------|
| (2) If not, whether because the workmen were getting the Project Allowance when the Rajhara Branch was a Sub-Branch of Bhilai Branch, even after it was converted into a fullfledged Branch, they can continue to claim the Project Allowance ? | No |
| (3) Whether the stoppage of Project Allowance amounts to change in conditions of service attracting Sec. 9A of the Industrial Dispute Act? | No |
| (4) If yes, what is the effect of failure to issue notice ? | Nil. |
| (5) Are the workmen entitled to the said allowance ? | No |
| (6) To what relief ? | Nil. |

5. Since the claim arises out of an Agreement dated 31-10-1979 between the Indian Bank Association on one side and the Bank Employees on the other ? unless the claim squarely falls under that Agreement there would not be any right vesting in the workmen to claim the Project Area Allowance merely on the ground that even after Rajhara Branch was converted into a fullfledged Branch, the management continued to pay the allowance till a particular time. It is not the payment which is to establish the right but it is the Agreement which is to spell out the said right. Although payment may be one of the factors which may corroborated the case of the workmen, yet the payment independently of other things is not going to help the workmen in any manner, particularly when there is a history behind it, in the sense that till the time Rajhara Branch was under Bhilai Branch, because the staff was treated to be the members of the staff of Bhilai Branch, they were being paid and entitled to receive the said allowance. The position, however, changed when Rajhara was separated from Bhilai and unless and until it could be pointed out that Rajhara Branch is situated within the Project Area no claim would be permissible.

6. Under the relevant Agreement the compensatory allowance is payable and the Agreement says “In supersession of Clause 9.6 of the settlement between IBA and AIBEA dated 19-10-1966, Clause 5.7 of the settlement between SBI and AISBISF dated 31-3-1967 as modified, Clause 3(e) of the settlement between IOB and AIBOEU dated 29-7-1972, project area compensatory allowance will be paid as under”. We are not concerned with the rates of the allowance because once the right is established the rate is bound to follow. Now clause 5.7 which speaks of the payment of Project Area Compensatory Allowance as mentioned in Clause 4.1 Bhilai Steel Plant has formed part of group A, but even if we read the entire list whether of Group A, B or C we do not come across the name of Rajhara anywhere.

7. In the absence of any such proof, the Union has produced a certificate before me dated August 4, 1983 issued by the Superintendent of Bhilai Steel Plant certifying that Rajhara Township, wherein the State Bank of India Branch as situated is a part of the Bhilai Steel Plant (Project) property. It may be that Bhilai Steel Plant may be owning the property where Rajhara Township is established but that does not mean that Rajhara is a part of Bhilai Steel Plant or that Rajhara falls within the Project Area. A landlord may have another property but it is the territorial jurisdiction which has to be determined. It is not the joint or common ownership or unity of title but the situation of the place and within what area of township would be consideration. Consequently, merely because there is a certificate to this effect, by itself it is not going to advance the case of the workmen and all along the point still would be whether Rajhara is within the Project Area for which as the records stand there is absolutely no proof. The result is that neither the certificate issued by the Superintendent of

Issues

Findings

4. (1) Whether Rajhara Branch of State Bank of India falls within the Project Area ?

No

the Bhilai Steel Plant nor the proof of continuance of Project Allowance for some days after the establishment of a fullfledged Branch of Rajhara is going to create any right, which springs only from the Agreement or the Settlement and since the settlement cannot come to the help of the workmen for the reasons already stated the claim for the Project Area Compensatory Allowance must be rejected.

Award accordingly.

M. A. DESHPANDE, Presiding Officer
[No. L-12012(403)/81-D.II(A)]
N. K. VERMA, Desk Officer

नई दिल्ली, 14 मार्च, 1985

का. आ. 1330—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रिय सरकार, मैसर्स सिंगरेनी कोलियरीज कम्पनी लि., बेल्लम्पल्ली क्षेत्र के प्रबंधन से सम्बद्ध नियोज्जकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण (केन्द्रिय) हैदराबाद के पंचाट को प्रकाशित करता है, जो केन्द्रिय सरकार को 12-3-85 को प्राप्त हुआ था।

New Delhi, the 14th March, 1985

S.O. 1330.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal (Central) Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Messrs Singareni Collieries Company Limited, Bellampalli Area and their workmen, which was received by the Central Government on the 12th March, 1985.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal.

Industrial Dispute No. 1 of 1982

The Workmen of
Singareni Collieries
Company Limited,

Bellampalli Area, Versus The Management of
Adilabad District (A.P.) M/s. Singareni Collieries
Company Limited,
Bellampalli Area,
Adilabad District. (A.P.)

APPEARANCES :

1. Sri G. Bikshapathy, Advocate for the Workmen.
2. Sri K. Srinivasa Murthy and Miss G. Sudha, Advocates for the Management.

Ref : Order No. L-21012(5)-81-D.IV(B) Dt. 15-1-82 from the Govt. of India, Ministry of Labour, New Delhi.

AWARD

This is an Industrial Dispute referred by the Government of India, Ministry of Labour, under Section 7A and 10(1)(d) of the Industrial Disputes Act, 1947 as amended for the adjudication of the Industrial Dispute between the Workman and Management of M/s. Singareni Collieries Company Limited, Bellampalli with the following issues framed :

"Whether the Management of Messrs. Singareni Collieries Company Limited, Bellampalli Area, are justified in dismissing Sri K. R. R. Mohan Rao, Lorry Driver with effect from the 22nd January, 1981 ? If not, to what relief is the workman entitled ?"

After service of notice the Workman filed a Claims Statement, stating as follows :—

The Petitioner K. R. R. Mohan Rao, was appointed as a driver under the respondent. He is a permanent employee and he has been performing the duties to the entire satisfaction of the superiors. While so, on 10-11-1980 the petitioner was directed by the Deputy Controller of Stores, Bellampalli, to proceed to Kothagudem, carrying the scrap. Accordingly the scrap was loaded at the hospital area, store yard and fabrication shed and it was weighed at the weighment bridge and there after proceeded to Kothagudem. After unloading the scrap at Bellampalli, the petitioner drove back to Kothagudem. After the scrap was so loaded and tied with ropes, and it is not possible to open the ropes on the way and delink the scrap on the way. So also it is not possible to load the material after the challan was prepared at the weigh bridge. The loading is done by the labour on the instructions of the superior officers and petitioner has nothing to do with loading operations. The security persons are posted at very place and the petitioner who is only a driver is not permitted to either load or unload any material.

2. The petitioner brought the lorry to Kothagudem and after recording the weight, the scrap was unloaded on 11-11-1980. There was slight variation in the load and this is attributable to weight of oil and variation between one weigh bridge and another that is why no objection was taken when the scrap was unloaded with minor variation in weight. But to the utter surprise of the petitioner a charge sheet was served on 8-12-1982 that the petitioner had illegally carried 2.205 tonnes of scrap and disposed 2.605 tonnes of scrap on the way from Bellampalli to Kothagudem and thus it amounted to misconduct under Cl. 16(2) of the company standing orders. The petitioner submitted a reply on 10-12-1980 denying the charges. However, without considering the explanation an enquiry was ordered into the charges and a large of enquiry is conducted and without furnishing the documents of enquiry the enquiry officer held him guilty. The petitioner was dismissed by an order dated 22-1-1981. The appeal preferred against the same to the General Manager was rejected. Thereafter the conciliation proceedings were initiated which culminated into the present reference. The enquiry is questioned on various grounds as illegal and the void as mentioned in the petitioner in the claim statement.

3. The management stated that the said petitioner was asked to transport scrap Iron from Bellampalli stores to Kothagudem in Company Lorry No. AP1-2683. After the lorry was weighted at the Morgans pit weigh Bridge the readings taken. Shri Mohan Rao, on his way to Kothagudem took the Lorry to the premises of marfed Vanaspathi Complex which is a subsidiary of A.P. Co-operative Marketing Federation. From there he proceeded to scrap dealer and unloaded part of the load and disposed it off. Again he went to Markfed Vanaspathi Compound and got the Vehicle re-weighed and then proceeded to Kothagudem and delivered the balance scrap Iron there.

4. Shri Raj Mohammed, General Mazdoor, who accompanied the petitioner in the Lorry to Kothagudem along with two other persons one by name Kondaiah and the other person petitioner's brother-in-law. Sri Raj Mohammed was made to get down before he entered the compound of markfed Vanaspathi to avoid detection.

5. The petitioner after coming out took Shri Raj Mohammed and Sri Kondaiah to Ashok Hotel in the lorry where they were asked to have their tea. By the time they came out the lorry was not there and they had to search in for it. In the course of search they found the lorry in a lane, where the petitioner and his brother-in-law were unloading part of the scrap from the lorry. Again, after taking Sri Raj Mohammed, and Sri Kondaiah in the lorry, the petitioner took the vehicle to Markfed Vanaspathi Complex where the petitioner asked Raj Mohammed and Kondaiah to disembark,

The petitioner then took the lorry inside the compound of the Markfed Vanaspathi Complex. After a while he came out, allowed Shri Raj Mohammed and Shri Kondiah to board the lorry and then they proceeded to Kothagudem.

6. Shri K. R. R. Mohan Rao served with a charge sheet No. Rs. 58/204, dated 8-12-1980 and the enquiry was conducted in to the charges and after the charges were proved he was dismissed from the service. The offence committed by the petitioner is very serious grave in nature and, therefore, the management prays that the petition be dismissed by the Tribunal and the reference should be answered upholding the dismissal.

7. The point for consideration now is whether the order of dismissal is justified against the petitioner as referred in the reference and to what relief?

8. Both sides did not examine in any oral evidence. The workman marked Ex. W1 and Ex. W2 while the management marked Ex. M1 to Ex. M8 by consent.

9. At the out set on the memo filed by the management whether the domestic enquiry was validly done observing the principles of natural justice by giving reasonable opportunity to the petitioner or not my predecessor in office by his preliminary order dated 18-2-1984 held after enquiry that the domestic enquiry by the enquiry officer was done in a fair and proper manner observing the principles of natural justice.

10. In the said circumstances, the Counsel for the Workman contended that the officer who conducted the preliminary enquiry is not competent to issue the order and the findings are perverse and it is also mentioned that proceedings of the enquiry were not served upon the Petitioner to defend himself properly by giving all the opportunities and giving necessary documents. Lastly it is contended that the punishment awarded is very severe and it had no proximity to the alleged charge.

11. On the other hand the Management contended that the enquiry report is based upon correct appreciation of facts, the reasonable opportunity given to him during the enquiry by the Enquiry Officer, should not be further questioned at this stage. It is mentioned that the officer who passed the final order is a competent authority and it is incorrect to say that the entire thing is based upon suspicion and that suspicion could not take place the legal evidence. The Management counsel Miss Sudha pointed out that the charge is vague and not definite is not tenable at this stage as it has already held that the domestic enquiry is proper and final. She pointed out that they marked the documents to prove the charge of carrying excess scrap iron and unloading the same for his personal benefit should be accepting as proper and that under Rule 16 of the Conduct Rules he was rightly ordered to be dismissed for grave misconduct and the same should be confirmed.

12. The interesting facts of the case are that the petitioner K. R. Mohan Rao, was employed in the Company as Lorry Driver in Bellampalli Main Stores and he is a permanent employee of the Singareni Collieries Company Limited, Bellampalli. The report of the Enquiry Officer is marked as Ex. M1. The enquiry was conducted by one Sri M. Satyanarayana, Dy. C.O.S. It is admitted that the driver K. R. Mohan Rao drove the lorry A.P.I. 2683 and transported scrap iron material from Bellampalli to Kothagudem Stores on 10th November, 1980. But the Management's case is that after the loading of the scrap iron on the lorry was weighed at Weigh-bridge and the gross weight recorded was 10 tons and then it came to light that the Driver took the lorry again to the Fabrication shed of the Workshop and got loaded some more scrap iron into the lorry and left Bellampalli by 8.30 p.m. and on the way at Karimnagar the Driver took the lorry to the Weigh-bridge owned by Markfed Vanaspathi complex on the Sircilla road and got the lorry weighed with the scrap material at about 11.00 P.M. and the Weigh Bridge recorded as 12.205 tonnes and then he got some scrap iron unloaded at a place in Karimnagar and again went to the Markfed Vanaspathi Com-

plex Weigh-bridge and got the lorry weighed with the remaining material and the weigh-bridge recorded as 9.950 tonnes and thereafterwards he proceeded to Kothagudem and unloaded the scrap iron material at Central Workshop after getting it weighed with the scrap gross weight recorded at Kothagudem was 9.600 tonnes. So the prosecution case is that he had illegally carried 2.205 tonnes scrap iron extra in the lorry and disposed off on the way. This is the Management says it amounted to dishonesty in connection with the Company's property and as such it is misconduct under the Standing Orders 16(2). To this the Workman gave a letter of explanation dt. 11-12-80 denying violating any of the duties entrusted to him. It is his case that he was instructed by the Deputy C.O.S., Bellampalli to get the scrap at the Hospital area and Stores Yard and Fabrication shed and get it weighed at Weigh-bridge and proceed to Kothagudem and that he acted accordingly and proceeded to Kothagudem. According to him the lorry was weighed and challan was given showing weight of 10 tonnes at Bellampalli. It is his case that he had gone straight to Kothagudem and never visited any Weigh-bridge anywhere and denied about getting weighed at Markfed Vanaspathi Complex. He denied that he unloaded some of the scrap iron at some place in Karimnagar and then weighed the lorry again. He also denied that he had taken the lorry again after weighing and some more scrap iron was loaded from Fabrication shed. According to him the lorry weighed including scrap material as 9.600 tonnes at Kothagudem and the difference in weight attributed to 137 liters of diesel consumed by the lorry in the journey and marginal difference between one weigh bridge to the other. He denied in his explanation that he had carried 2.205 tonnes of scrap iron extra and disposed off the same. He stoutly stated that the allegation made against him was false. It is admitted that the weigh-slip at the Weigh-bridge of Morgans Pit on 10-11-1980 mentioned the weight as 10 metric tonnes. The Driver K. R. Mohan Rao denied the knowledge about the existence of Markfed Vanaspathi Complex and denied having gone to the weigh-bridge on 10-11-1980 during the enquiry conducted against him. The Management relied upon the document issued by the Markfed Vanaspathi Complex marked as Ex. M5. The said document Ex. M5 would show that the vehicle API 2683 was found weighed at Markfed Vanaspathi Complex, Karimnagar on 10-11-1980 with load showing 12.205 tonnes and subsequently with lesser load indicating 9.990 metric tonnes, and thus it was inferred that he unloaded 2.205 metric tonnes it is admitted that the lorry when it was entrusted after weighment at Morgans Pit on 10-11-1980 weighed 10 metric tonnes and when the same ultimately was handed over at Kothagudem, it showed that it weighed 9.600 metric tonnes. The case of the Driver is that this difference in tonnage was about 0.4 metric tonnes and it is attributable to the weight of diesel oil consumed by the lorry and Tarpaulin and the rope and these will be marginal difference between the one weigh-bridge to the other. In other words it is specific case that he never went to Markfed Vanaspathi Complex on the same day with the said scrap iron in the said vehicle after being entrusted with scrap iron to be delivered at Kothagudem. On the other hand the Management's case is that he carried 2.205 tons of scrap iron extra in the lorry and disposed of 2.605 tons of scrap iron on the way while transporting the scrap iron from Bellampalli to Kothagudem on 10-11-1980 and that the same amounted to misconduct under Company's Standing Orders. To prove that he carried illegal 2.205 tons scrap iron the Management produced Ex. M4 to show that the lorry weighed at the weigh-bridge at Morgan Pit at Bellampalli showing 10 metric tonnes and the same was also signed by K.R. Mohan Rao. Ultimately under Ex. M6 it is shown that he handed over scrap iron in the said lorry on 11-11-1980 at Kothagudem weighing 9.600 metric tonnes and the same is with reference to Bellampalli challan No. 16155 dt. 10-11-1980. The same is marked as Ex. M6 to show that the Driver loaded extra scrap iron weighing 2.205 tonnes over and above the authorised slip issued by weigh-bridge at Morgans Pit for 10 metric tonnes and disposed some scrap iron on the way. The Management examined one Raj Mohammed. It is admitted by him that Raj Mohammed was given to him as helper to accompany the lorry. The said Raj Mohd., gave evidence before the Enquiry Officer that the Driver took the lorry to the Markfed Vanaspathi complex twice and went inside the Complex keeping him at the gate and he also asserted that the driver took the lorry inside the town of Karimnagar and unloaded some scrap iron in a lane. The Management examined one Muqadali to show

that he verified the records of the Markfed Vanaspathi Complex and found A.P.I. 2683 went there for weighing on 10-11-1980. During the enquiry the said Muqadali was cross examined by K. R. Mohan Rao but he did not bring any material point to show that the said Muqad Ali was not speaking correct fact. It is contended by the workman counsel Sri Bikshapathi that the said record and the entries under Ex. M5 of the Markfed Vanaspathi Complex are all not genuine documents and they are not proved according to law and therefore hearsay evidence cannot be supported and relief upon as it is inadmissible. Ultimately Sri Bikshapathi contended that the property is not recovered and there is no Police complaint made or filed and Raj Mohammad was inimical with him and the scrap iron Yard Book should have been produced to show that the excess scrap iron to an extent of 2,205 tonnes was loaded at Bellampalli and the same should have been borne out in the scrap yard books which were maintained. It is his case that there is Security check and it must be explained how excess tonnage was allowed to be carried by the lorry Driver without the knowledge of the Security check as well as the Superior authorities concerned at said three places. The Deputy C.O.S. issued a notice that he should appear for enquiry on 13-12-80 as per Ex. W1 and on 22-1-1981 as per Ex. W2 Deputy Superintendent, Bellampalli Division I Passed the dismissal order. According to him the enquiry is not ordered by the Competent authority i.e. Divisional Superintendent, Bellampalli Division I who is the competent authority to dismiss. Thus the said enquiry is ab initio void. It is his case that the here-say evidence is entertained in this matter and the same is inadmissible. It is also the case of Sri Bikshapathi Counsel for the workman that the marked document Ex. M5 should have been examined from the original records and produced by Markfed people and the same is not tried to be looked into. But Miss Sudha contended that the said document is filed in the Enquiry Report and marked as Ex. M5 and it is already shown to the delinquent during the enquiry and thus there is no illegality committed.

13. Before going further it is necessary to point out that in the preliminary order itself the learned counsel for the Workman Sri Bikshapathi raised a point that the Deputy C.O.S. was not competent to issue charge sheet and initiate the enquiry proceedings as the enquiry was not pursuant to the orders of the competent authority, and contended the entire thing gets vitiated and it has to be struck down as illegal and untenable. He relied upon the decision reported in *Surath Chandra Chakravarty v. West Bengal* (1971(1) LLJ. page 293 SC) My predecessor in office observed that that is matter to be considered at the time of final hearing and the validity of the charge sheet if it is found to be defective can be decided in the final hearing and in the preliminary enquiry he is only concerned whether the domestic enquiry was conducted fairly and properly and thus he left it open regarding that aspect, vide preliminary order dated 18-2-1984.

14. So the question whether the charge sheet is vitiated being vague and unintelligible or whether the enquiry proceedings was not conducted pursuant to the orders of a competent authority are all matters left open to be decided in this.

15. Interestingly it is seen from the enquiry file that the Enquiry Officer is one M. Satyanarayana, Deputy C.O.S. and the enquiry report at page 12 would show that the burden is shifted on the petitioner to lead evidence on the negative aspect of the charge. The charge sheet office copy is marked as Ex. M2. It is mentioned that it has come to light from the weigh-bridge that the delinquent had taken the lorry again to the Fabrication Sheet and loaded some more scrap iron by lorry and left Bellampalli by 8.30 p.m. and on the way at Karimnagar he took the lorry to the weigh bridge of Markfed Vanaspathi Complex on the Cirilla road and got weighed with the scrap material at about 11.00 p.m. and the weigh bridge recorded as 12,205 tonnes and then he unloaded some of the scrap iron at some place at Karimnagar and again went to the same weigh bridge and got lorry weighed with the remaining material and the weight recorded was 9,990 tonnes. It is alleged that he proceeded to Kothagudem and unloaded scrap iron material at Central Workshop and weighed the lorry again with scrap iron and it was finally recorded at Kothagudem as 9,600 tonnes. Thus

it is alleged that he illegally took 2,205 tonnes scrap iron extra in the lorry and disposed of 2,605 tonnes scrap iron on the way. The charge sheet as shown now did not mention either the names of Raj Mohammed or Kodiah or the Brother-in-law of K. R. Mohan Rao who said to be present and who were examined in the enquiry. It is found in the enquiry during the evidence of Raj Mohammed that he reported the matter after he returned from Kothagudem to Dy. C.O.S., Bellampalli. This fact was mentioned by him on 15-12-1980 when he was examined in the enquiry. The incident is with reference to 10-11-1980 and the said Raj Mohd. was examined on 15-12-1980. When he was asked to explain Raj Mohd. that he accompanied the delinquent on seeing him loading with scrap iron again after weighed and why he failed to report the same either at Karimnagar, Bellampalli or at Kothagudem, he mentioned that he wanted to report the matter to the Dy. C.O.S. and therefore he came and reported but the said report was not forth coming and was not made available to delinquent also. Secondly the said Satyanarayana who happened to be Dy. C.O.S. who was the Enquiry Officer is also a witness to the Departmental enquiry and he made himself available for cross examination. He was cross examined first all the Enquiry Officer should have the authority to conduct an enquiry. It is not disclosed under what powers and by virtue of what Standing Orders he made such an enquiry. If he happen to be an Enquiry Officer it is still amusing and startling that he happened to be a witness for the prosecution. Ultimately as per Ex. W-2 it is crystal clear that the dismissal was passed for the misconduct by the Divisional Superintendent, Bellampalli Division-I. The Management could not quote any Standing Orders authorising or empowering the Deputy C.O.S. to enquire into such matters. At best on the available report of Raj Mohd. if any the Dy C.O.S. could have given a complaint to the disciplinary authority and the competent disciplinary authority should have appointed some body as Enquiry Officer. There is no order forthcoming that the Dy. C.O.S. was appointed as Enquiry Officer. If he is appointed as enquiry officer he should not have been witness in the enquiry for the Management. Further it is alleged that four persons went in the vehicle and ultimately that the vehicle left Bellampalli with excess of scrap iron by 2,205 tonnes than the stipulated scrap iron of 10 tonnes and it is said that the lorry disposed of 2,605 tonnes on the way at Karimnagar and this is based upon the Markfed records. The original marked Vanaspathi Complex records were said to be so scrutinised by one Muqad Ali Junior Security Officer on the direction of M. Satyanarayana, Dy. C.O.S. and to verify the same, the said M. Satyanarayana proceeded to Karimnagar and he accompanied him. It is said that they took Raj Mohd. along with them and went to Markfed Vanaspathi Complex and checked the record maintained at the Markfed Vanaspathi Complex and that they found Company Lorry API 2683 went there for weighing and it was weighed twice with scrap materials as 12,205 tonnes for the first time and for the second time it was shown as 9,990 tonnes and they have taken copy of the entry from the Manager of the Markfed Vanaspathi Complex and it was alleged that the Driver went to weigh bridge of Markfed complex to commit fraud on the way at Karimnagar. It is pity that the Markfed authority and original records were not produced before this Tribunal or in the enquiry. The weigh-bridge Assistant or Plant Manager of the Markfed who gave Ex. M-5 are not examined before the Enquiry Officer. It is a true copy said to be taken on 6-12-1980. If what Mr. Raj Mohd. stated is true the incidence of fraud should have been reported immediately after coming back to Bellampalli on 11-11-1980 or 12-11-1980 as the case may be. But it is elicited that he reported on 4-12-80 or 5-12-80 to the Dy C.O.S. It is seen from the records of enquiry at page 30 that the Enquiry Officer went to Karimnagar to enquiry into the report given by Raj Mohd. on 6-12-1980, and the said Satyanarayana was examined on 15-12-1980 as a witness being Enquiry Officer. After that they did not go to any place in Karimnagar to know about the unloading of scrap iron to the extent of 2,205 tonnes though Raj Mohd. is alleged to have known and also saw the place of unloading in a lane at Karimnagar. There is no police complaint also.

Now Sri Bikshapathi contended that the charge sheet is vague and it is defective and moreover the enquiry was not conducted pursuant to the orders issued by the Competent Authority and thus the proceedings are vitiated. For this he relied upon the number of rulings. He relied upon the

decision reported in *M/s. Parry and Co. Ltd., v. P. C. Pal* (1970 (II) LLJ, page 429) and contended that the Tribunal could interfere with the findings of the Enquiry Officer and the disciplinary authority as the same is done without jurisdiction or where the Tribunal is disbelieved itself from reaching a fair decision or when the conclusions on considerations extraneous to the evidence for taking into consideration. He also relied upon the decision reported in *Banaras Electric Light and Power Co. Ltd. v. Labour Court* (1972 (II) LLJ, page 328) contended that in the domestic enquiry findings are perverse. The Tribunal would justify in interfering with the same. Of course he also cited 1971 (I) LLJ, page 293 before my predecessor in Office when the preliminary order was passed. It was held therein that whether proper details were given in a charge sheet to the delinquent to defend himself or not he is observed to be a matter of evidence and in the instant case it is clear that the said Officer were authorised and competent to conduct the enquiry and he himself as a witness in the enquiry in the so called report of Raj Mohd. was not made available to him. Miss. G. Sudha on the other hand contended that in the decision reported in *Lord Krishna Textile Mills v. Its Workmen* (1961 (I) LLJ, page 211) that when an application is made for approval of the action taken by the employer under Industrial Disputes Act, the appropriate authority dealing with such applications should only see about sufficiency or adequacy of the evidence or the satisfactory character of the evidence at the domestic enquiry. According to her in dealing with such cases falling under Section 33(2)(b) of the I. D. Act the Industrial authority will be entitled to enquire whether the proposed action is in accordance with the Standing Orders, whether the employee concerned has been paid wages for one month and whether an application has been made for approval as prescribed by the said sub-section. It is further observed that the jurisdiction of the Tribunal by holding an enquiry under Section 33(2)(b) of the I. D. Act cannot be wider and it is more limited than the authority to pass such order in relation to the application made before it under the proviso to Section 33(2)(b) as it may deem fit. But in the same judgment it is pointed out that in that case the Industrial Tribunal did not go into the domestic enquiry was defective or that the requirements of natural justice have not been satisfied in any manner. In the present case my predecessor in office left open to decide the domestic enquiry at the time of final enquiry. Therefore it is not correct to say that in the light of the preliminary orders that this Tribunal is not entitled to go further into the merits. Thus the decision can be distinguished. Miss Sudha relied upon the decision reported in *K. L. Shinde v. State of Mysore* (AIR 1976 SC, page 1080) and contended that it is well settled proposition that whether the delinquent had a reasonable opportunity or effectively defending himself is a question of fact depending upon the circumstance for each case and no hard and fast rule can be laid in that behalf. In that case it was held that the delinquent fully participated in the department enquiry held and he also made full use of the assistance of a Police friend provided to him to conduct the defence on his behalf and in the said circumstances it is held that reasonable opportunity of defending himself as contemplated under Article 311 was given. In the instant case as already mentioned by me the vagueness and defectiveness of the charge sheet and the competence of the Enquiry Officer to proceed with such an enquiry were left open to be decided at the final enquiry and at the time of final enquiry and it is now found that in the given facts of the circumstances of the case it must be held that vague and unintelligent charge sheet with no particulars and with no witnesses, he cannot be found fault. Moreover it is said that the delinquent after getting the lorry weighed at the Morgans pit weigh-bridge again taken the lorry to the Fabrication Shed workshop and loaded some more scrap iron in the lorry. If so, it is question of fact. There must have been vigilant check and security arrangement at the Fabrication Shed of the Workshop. No individual lorry driver especially the delinquent solely cannot load 2.205 tonnes of excess scrap iron. It is not an act which can be done in a manner of seconds by covering the eyes of everybody. It is an admitted case of prosecution even as per the enquiry Officer report that one Kondiah and Raj Mohd. and the Brother-in-law of the driver were present. If so who at the Fabrication Shed of the Workshop if the said material was allowed to be located where are the book entries of the Fabrication Shed of Workshop showing that the lorry reached that place after it left Morgans Pit Weigh-bridge and again loaded 2.205

tonnes of scrap iron. This is found wanting. There is no evidence much less the legal evidence to connect the misconduct. Miss Sudha relied upon the decision reported in *State of Mysore v. Srivabassappa* (AIR 1963 S.C. page 375) and contended that there is no default committed or illegally committed in the enquiry. It was held therein that the Domestic Tribunal exercised quasi judicial functions are not Courts and therefore they are not bound to be valid procedure prescribed for trial of actions in Court nor are they bound by strict rules of evidence. It is laid down that unlike Courts, obtain all information material for the points under enquiry from all sources, and through all channels, without being fettered by rules and procedure which govern proceedings in Court. It is further pointed out that the only application which law casts on them is that they should not act on any information which they may received unless they put it to the parties against him to be used and give fair opportunity to explain it. What is fair opportunity must depend on the facts and circumstances of each case but where such an opportunity had been given, the proposition of law. I respectfully follow the same. The enquiry was not conducted in accordance with the procedure followed in Court. There is no dispute about the proposition of law. I respectfully follow the same. The point herein is the Enquiry Officer who is a witness and that Raj Mohd. and another Muqadali are supposed to have been gone to Markfed Vanaspathi Complex on 16-12-1980 and they obtained Ex. M-5. How they got the said Ex. M-5 etc. is not a matter as rightly pointed out by the Supreme Court to be gone into. But the delinquent denied that he never visited Markfed Vanaspathi Complex and that he did not know where it is situated. When they are acting upon the information which they have received they should give a fair opportunity to explain it. Ex. M-5 which is brought behind him as a sort of information is now put to his neck to dismiss him. The delinquent denied knowledge about Ex. M-5 and he also totally denied the Markfed Vanaspathi Complex. So where is the material to say (when they brought Ex. M-5 behind his back) when the original records of Markfed Vanaspathi complex are not summoned before the Tribunal or before dismissing authority that there was material to speak that he was denying the charge falsely. The so called person Plant Manager who gave Ex. M-5 on behalf of the Markfed Vanaspathi Complex is not even examined. Thus Ex. M-5 is a hear-say material which is gathered and which is not proved and it cannot be said that a fair opportunity is given to the delinquent to explain it when they did not produce the original records and when the delinquent was not party to the said document Ex. M-5. Infact it must be held on the available facts the Management failed to discharge this obligation and did not give him the full details and also did not give full material which was gathered behind him to explain. Thus the ruling had no application. Miss Sudha relied upon the decision reported in *State of U.P. v. O. P. Gupta* (AIR 1970 S.C. page 679) contended that the Court should in judging the non-observance of principles of natural justice by a Domestic Tribunal must see whether the departmental enquiry was held and statement of witnesses recorded in the absence of the delinquent servant were made available to him thereafter and he was given opportunity to cross examine the witnesses. In that context it was held that the rules of natural justice was not violated. Even in the instant case it was held that it is open to the workman to put forth the contentions regarding the defective charge sheet and whether the findings are perverse at the time of final hearing though the domestic enquiry is conducted fairly and properly. The order is passed by my predecessor. Infact this defect that the charge is vague and it is not authorisedly done by the Enquiry Officer and it suffers from the infirmities which is a fundamental principles of natural justice was raised as a preliminary objection. But it is postponed to be decided at the time of final enquiry. It is not a case that statements were made available to the delinquent there afterwards that the statements were given to the delinquent. In the instant case they have not given him the so called report of that Raj Mohd. It is not known when he gave and on what date and what are the contents of the said report and the Markfed Vanaspathi Complex original documents was not made available to him when the delinquent denied that he ever visited such premises. A perusal of the charge sheet show that the time of incident that the allegation that he left Bellampalli at 11.02 p.m. on 12-11-1980 were all false and have not been mentioned

in the charge sheet. When the witness is the Enquiry Officer and he makes himself a party to cross examination being the Enquiry Officer and when he is not authorised to hold an enquiry to say that the principles of natural justice were followed especially when the charge sheet is vague and defective on all material particulars and when Ex. M-5 is not legal evidence and when it is not there in the charge sheet that he went to the Markfed Vanaspathi Complex twice and when there is nothing in Ex. M-5 that he visited Markfed Vanaspathi Complex at 11.00 p.m. and again for a second time after unloading some material at Karimnagar, he came at a particular time and when the charge sheet itself is based upon Ex. M-5 which is dated 6-12-1980 and when the names of the persons who visited the Markfed office were not mentioned in the charge sheet and when there is no whisper about the likely witness to be examined in the enquiry and when the entire enquiry seems to be farce, it is not correct to say that opportunity to cross examine the witnesses was given and rules of natural justice were strictly followed. Hence it had no application.

In *Nellikai Estate v. Its Workmen* (1959 (1) L.J. page 751) it is held that it is not open to Industrial Tribunal to completely ignore the admissions made in the course of the evidence and record a finding contrary to such an admission. In the present case the charge sheet is vague and it is absurd to say without any evidence that after the lorry was weighed at Morgans Pit showing 11 metric tonnes that this lorry was again taken to the Fabrication Shed and loaded with some more scrap iron without any basis whatsoever and it is not humanly possible for a single driver without the collusion of the Managements staff to do such an act. If the said Raj Mohammad is also party to it he cannot plead innocence. In fact the delinquent suggested that he was inimical towards Raj Mohammad and therefore he was made use of by the Management. Though strict principles of evidence are not applicable to such matters there is lot of inconsistencies in the case. On a careful consideration of the entire material I have no hesitation to hold that the evidence of Satyanarayana who is Enquiry Officer and also a witness is only a hearsay and the evidence of Raj Mohammad cannot be believed for the reasons that he made a report only on 4th or 5th December 1980 i.e. about 20 days after the said alleged incident. Moreover no show cause notice was given to the delinquent showing the proposed punishment of dismissal as per the Standing Orders and principles of natural justice. The report of the Enquiry Officer is perverse and based on no evidence. The delinquent stated that the said Raj Mohd. was drunk during the transit and he refused to accede to his request, and this aspect of the matter was not considered by the Enquiry Officer and the non-examination of any officials of the Markfed Vanaspathi Complex and believing the weigh-bridge slip of Markfed which was brought behind the delinquent when he denied that he ever visited the place looks as if the Enquiry Officer shifted the burden on the Petitioner to prove his innocence when they did not examine anybody from the Markfed Vanaspathi Complex and tried to believe Ex. M-5. It is also worth noting that no stocks registers were ceased of departmental scrap iron. Thus on a careful consideration, I hold that the entire findings are vitiated by various irregularities and infirmities and that it is a colourable exercise of power, and it is nothing short of victimisation and unfair labour practice. The very Enquiry Officer had no power to conduct such an enquiry and is not authorised officer to conduct the enquiry and that basing upon it without any show cause notice of termination the very termination order based under Ex. M-6 is illegal and therefore it is set aside.

Therefore, I hold that the Management are not justified in dismissing the Lorry Driver Sri K. R. Mohan Rao from service with effect from 22-1-1981 and he is entitled for reinstatement with full back wages and other attendant benefits.

Dictated to the Stenographer transcribed by him corrected by me and given under my hand and the seal of this Tribunal, this the 19th day of February, 1985.

Appendix of Evidence

Witnesses Examined
For the Management
NIL

Witnesses Examined
For the Workmen :
NIL

Documents marked for the Management by consent

- Ex. M-1.—Report of the Enquiry Officer dated 20-12-80.
 - Ex. M-2.—Charge sheet dated 8-12-80 issued by the Management to K. R. R. Mohan Rao.
 - Ex. M-3.—Explanation dt. 11-12-80 submitted by K. R. R. Mohan Rao, to the Deputy C.O.S.B.P.A., S. C. Co. Ltd.
 - Ex. M-4.—Weighment slip for lorry No. API-2683, dated 10-11-80.
 - Ex. M-5.—True copy of the weighment slip issued by marked Vanaspathi Complex.
 - Ex. M-6.—Challan No. 95189 issued on 11-11-80.
 - Ex. M-7.—Notice of enquiry dated 13-12-80.
 - Ex. M-8.—Enquiry Proceedings.
- Documents marked for the Workmen by Consent
- Ex. W-1.—Notice of Enquiry dated 13-12-80.
 - Ex. W-2.—Dismissal Letter dated 22-1-81 issued by the Divisional Superintendent, Bellampalli Division-I to K. R. R. Mohan Rao.

J. VENUGOPALA RAO, Industrial Tribunal
[No. 1-21012(5)/81-D.IV (B)]

नई दिल्ली, 18 मार्च, 1985

का. अ. 1331.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, वेस्टर्न कोलफील्ड लिमिटेड, बन्की मोनग्रा के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई-2 के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-1985 को प्राप्त हुआ था।

New Delhi, the 18th March, 1985

S.O. 1331.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, No. 2 Bombay as shown in the Annexure, in the industrial Dispute between the employers in relation to the management of M/s. Western Coalfields Limited, Bankimongra and their workmen which was received by the Central Government on the 4th March, 1985.

BEFORE SHRI M. A. DESHPANDEY, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 2, BOMBAY CAMP, AT JABALPUR

Case No. CGIT/LC(R) (42) of 1983 (Jabalpur)

Case No. CGIT/2/18 of 1985 (Bombay)

PARTIES :

Employers in relation to the management of Surakachhar Colliery of Western Coalfields Limited, Bankimongra District Bilaspur and their workmen represented by the General Secretary, Chhatisgarh Khadan Karkhana Mazdoor Union, P. O. Bankimongra, Distt. Bilaspur.

APPEARANCES :

For Management—Shri P. S. Nair, Advocate, Jabalpur.
For Workmen—None.

AWARD

Dated the 22nd February, 1985

The Central Government in exercise of its powers under Section 10(1)(d) of the Industrial Disputes Act, 1947 referred the following dispute—

Whether the action of the management in not regularising a Loco Foreman in Category IV S/Shri Bhaskar S/o Makara Mondal S. Mani S/o Chaitra Swami.

Lachhiman S/o Shree, Ratiram S/o Jagatram and Kamdeo S/o Jethakur, Workmen with difference of wages since July, 1981, onwards is justified? If not to what relief these 5 workmen are entitled?"

In support of the respective claims the Union as well as the Employer have filed the statements of claim and they have also filed rejoinders.

However, it seems that the matter has been amicably settled finally and the parties have come to terms as incorporated in the terms of settlement. In view thereof the dispute does not survive and hence the reference disposed off. Award accordingly.

M. A. DESHPANDEY, Presiding Officer

[No. L-22011(27)/82-D. III(B)/D. VI]

S. S. MEHTA, Desk Officer

नई दिल्ली, 20 मार्च, 1985

का आ. 1332—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स सिंगरेनी कोलियरीज कम्पनी लि. के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-3-85 को प्राप्त हुआ था।

New Delhi, the 20th March, 1985

S.O. 1332.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s Singareni Collieries Co. Ltd. and their workmen, which was received by the Central Government on the 15th March, 1985.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD.

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal.

Industrial Dispute No 6 of 1982.

BETWEEN

The Workman of Singareni Collieries Company Limited, Ramagundam Division-II, P.O. Godavari Khani, Karimnagar District.

AND

The Management of Singareni Collieries Company Limited, Ramagundam Division-II, P.O. Godavari Khani, Karimnagar District.

Industrial Dispute No. 12 of 1982.

BETWEEN

The Workmen of Singareni Collieries Company Limited, Ramagundam Division-II, Godavari Khani.

AND

The Management of M/s. Singareni Collieries Company Limited Ramagundam Division-II, Godavari Khani.

APPEARANCES :

Sri G. Bikshapathi, Advocate for the Workmen. Sri K. Srinivasha Murthy, Hon. Secretary. A. P. Fede-

ration of Chambers of Commerce and Industry for the Management.

COMMON AWARD

In I.D. No. 6/82 :-

The Government of India, Ministry of Labour by its Order No. L-21011(15)/81-D.IV.B, dt. 23-1-1982 referred the following dispute under Section 7A and 10(1)(d) of the Industrial Dispute Act, 1947 between the management of M/s. Singareni Collieries Company Limited, Ramagundam Division II and their workmen, for adjudication to this Tribunal :

"Whether the management of M/s. Singareni Collieries Company Limited is justified in not placing the Water Treatment Attendants working at 18 M.W. Power House, Ramagundam in Cat. V, as demanded by Andhra Pradesh Colliery Mazdoor Sangh, in their letter No. APOM/GDK/251/81 dated the 17th April, 1981? If not, to what relief are the workmen entitled?"

This reference was registered as Industrial Dispute No.6 of 1982 and notice were issued to the parties.

2. The Andhra Pradesh Collieries Mazdoor Sangh, Godavari Khani represented by its Vice President filed claims statement to the following effect. The nine workmen namely, 1. Sri J. Manohar Rao, 2. J. Vittal Rao, 3. K. Rammohan Rao, 4. K. Vyakuntam, 5. D. Maliesh, 6. K. Narayan Reddy, 7. Sk. T. Hussain 8. K. Satyanarayana and 9. A.S.M. Murthy mentioned in the petition who were working as Water Treatment Attendants in 18 M.W. Power House, Godavari Khani who were due promotion to Category V from 1-1-1980 were not given due promotion while they were performing the onerous work exposing themselves to a number of hazards. It is mentioned that the Management promoted these nine Water Treatment Attendants to Category V from 15-8-1981. It is the case of the Workmen that the Management should have promoted them from 1-1-1980 and they were deprived of their Category V scales from 1-1-1980 and consequent arrears.

3. The Management filed a written statement denying the allegation. It is mentioned that it is not correct to state that the work involved in Water Treatment and Pictreatment is of more onerous and responsible. It is mentioned further that the Water Treatment Attendants job is like any other Water Treatment Attendants job at Bellampalli and Kothagudem with a slight difference. It is pointed out that the work done by Water Treatment Attendants at Kothagudem and Bellampalli Power Houses are quite different. According to the Management, it is only the non-cooperative movement of the workman, the workman have been placed in Category IV those similarly placed workmen at Kothagudem and Bellampalli are in Category III. It is mentioned that as a matter of fact the workmen at Kothagudem and Bellampalli agitated for equal treatment and as such they were placed in Category IV to be on par with Water Treatment Attendant working at Godavari Khani. It is therefore mentioned that Water Treatment Attendants at Godavari Khani as a matter of right cannot claim for Category V.

4. It is mentioned finally that Water Treatment Attendants job at the three Power Houses are same and the question of granting Category V to the workmen of Godavari Khani did not arise. It is also clarified that the workers submitted a written demand on 17-4-1981 stopping performing of certain jobs and the Management was put to lot of strain and hardships, and it is also mentioned that the workmen of Water Treatment Attendants again submitted a letter dt. 21-9-1981 and the Management promoted the workmen to Category V with effect from 15-8-1981 though they are not entitled as a matter of right. According to the Management, there is no justification for the workmen now to claim promotion to Category V from 1-1-1980.

5. As the conciliation proceedings failed, a report was sent to the Government on 24-8-1981 and the Central Government ultimately referred the matter for adjudication to this Tribunal to decide the above issue. In I.D. No. 12/82 :-

6 The Government of India, Ministry of Labour by its Order No. L-21011(1982-D.IV(B) dt. 27-2-1982 referred

the following dispute under Section 7A and 10(1)(d) of the Industrial Dispute Act, 1947 between the Management of M/s. Singareni Collieries Company Limited, Ramagundam Division II and their workmen for adjudication to this Tribunal:

“Whether the management of M/s. Singareni Collieries Company Limited, Ramagundam Area, Division-II are justified:—

1. in not granting Cat. VI/C Grade to S/Sri K. Madhavarao, K. Rajareddy, G. Venkateswara Reddy, N. Jiranjayachari, V. Narasimachari, N. Chandrabhai, K. Gattaiiah and J. S. R. Murthy, Switch Board Attendants in 18 M.W. Power House, Godavari Khani.
2. in not granting Cat. V to S/Sri B. Rajaiah, V. Shankar, Shaik Mastaq, Abdul Latef Plant Attendants and in not granting additional increments to those plant attendants who are getting less wages than conveyer Khalasis promoted to Cat. IV later.
3. in not granting Cat. V to S/Sri T. Lakshminarayana, R. Lingaraju, Jacob Bixalu, M.V.S.S. N. Murthy, Ambati Vankati, Auxillary Attendant in 13 M. W. Power House, Godavari Khani.
4. in not granting Cat. VI to S/Sri S. Malleshwaraiiah, Turner, D. Lakshmanaswamy, Fitter, V. Narayana Reddy, Ch. Ramulu, John Bosic, Fitters, Veniamamurthy and Sardarkhan, Electricians and B. Prasad and Mallareddy, Welders, in 18 M.W. Power House, Godavari Khani.
5. in not promoting Sri Bittu Mallaiah, Mason (V Cat.) to VI Cat, Mason.
6. in not granting Cat. V to Sri Paddy Vonkathi, Carpenter.
7. in not promoting Sri N. Jaggamraju, General Mazdoor, 18 M.W. Power House, Godavari Khani to the post of Painter Cat. V.
8. in not laying down proper job description and standard categorisation in respect of different categories of workmen working in 18 M.W. Power House at Godavari Khani.
9. in refusing to pay dust allowance to all workers working in 16 M.W. Power House, Godavari Khani and heat allowance/thermal allowance to the workers working at the boilers.

If not justified, to what relief the workman are entitled?”

This reference was registered as Industrial Dispute No. 12 of 1982 and notices were issued to both the parties.

7. The Andhra Pradesh Collieries Mazdoor Sangh, Godavari Khani represented by its Vice President filed claiming statement stating that Singareni Collieries is having three Power Houses at Kothagudem, Bellampalli and Godavari Khani. According to them the power houses at Kothagudem and Bellampalli were constructed during the British Period about 50 years back with five to six M.W. Power Houses while the power house at Godavari Khani was constructed in the year 1968 on most modern and sophisticated lines. It is 18 M.W. capacity. It is mentioned that the staff recruited for the operation of 18 M.W. Power house at Godavari Khani was given specialised training in this operation. In lieu of the superiority and complicated nature of work performed at Godavari Khani Power Houses the employees are always placed on higher categories than their counter parts of Kothagudem and Bellampalli Power Houses. The Management has not given due Weightage to the workmen of Godavari Khani in the matter of promotion and other benefits. Therefore the Petitioner-Union made various demands from time to time in respect of the workmen at Godavari Khani. It is also pointed out that the Management has not evolved any job description and consequent categorisation in respect of each post. The Central Wage Board has also not fixed any categorisation to the workers in Power Houses. According to the Union, the Management has to fix appropriate job description and categorisation of posts. Without doing the same, the Management was extracting highly skilled and sophisticated work from the workmen by paying issued wages and exploiting them.

8. The Union submitted a chapter of demands to the Management on 21-8-1981 as there was no response from the Management. The Assistant Commissioner of Labour (Central) was addressed on 14-9-1981 to intervene in the matter. The matter thus went into conciliation proceedings. It is pointed out that the Management took up a stand that the Union cannot make any demand in view of the settlement entered on 29-1-1981. According to the Union the demands made in their letter dt. 21-8-1981 are not the subject matter of the Settlement. Hence the Union was not precluded from making any fresh demands. According to them, the Union made as many as 23 demands as there was no meeting point during the conciliation meetings. A failure report was reported by the Conciliation Officer to the Government of India on 30-12-1981.

9. The Union realising the dilatory tactics of the Management, issued a strike notice expressing their intention to go on strike on or after 23-1-1982. On the interference of Central officials, the strike was deferred. According to Union, the Management issued a notice of lookout on 12-2-1982 as a counter blast in the meanwhile. In the meanwhile the Government was pleased to refer the nine issues out of 23 issues by notification mentioned supra and thus the strike notice as well as lookout notice were withdrawn. Thus the Union is making its claims statement with reference to nine issues referred under the reference.

10. Issue 1.—It relates to grant of VI category ‘C’ Grade to Switch Board Attendants. According to them these employees were promoted to Category V with effect from 11-2-1974 and they had completed more than seven years yet no promotion was given to them. It is pointed out that they were given ‘B’ Grade in August 1980 which is more or less Vth Category. It is not a promotion. The Turbine Attendants who are in Category V along with these employees are given Category VI/C Grade in 1981. It is pointed out that similar workers having same educational and technical qualifications who are in Mine and in other departments, are given VI category, get the Switch Board Attendants are denied their original promotion. Incidentally it is pointed out that as per the policy of the Management promotion to next higher category shall be given after completing five years service. The Switchboard Attendants are given step motherly treatment by not following the said policy also. Hence it is requested that the management be directed to give promotion to Switchboard Attendants to Category VI/C Grade with effect from 11-2-1979 and pay consequential arrears and difference of arrears from that date.

11. Issue 2.—It relates to grant of Vth Category to four Plant Attendants and also grant of increments. It is pointed out that Auxillary Attendants and Water Treatment Attendants and Plant Attendants are placed in Category III with effect from 1-8-1970. These classes or posts are treated equally in all respects. But the Management has adopted different standard of promotion for different periods of service. In view of the very heavy hazardous nature of job the four Plant Attendants may be directed to be granted Category V from 1-1-1980 from which date the Water Treatment Attendants are claiming promotion to Category V.

12. Issue 3.—It relates to the grant of Category V to Auxillary Attendants to five employees. It is pointed out that Auxillary Attendants at Kothagudem and Bellampalli are always kept at one category less than the Attendants in Godavari Khani in view of the capacity and sophisticated nature of the plant. The Auxillary Attendants of Kothagudem are not in Category III while the employees of Godavari Khani are in Category IV. When the Auxillary Attendants at Kothagudem were brought to Category IV the Attendants of Godavari Khani have to be brought in Category V from the date on which the Kothagudem Attendants were promoted to Category IV and pay consequential arrears of scales of pay.

13. Issue 4.—It relates to nine employees who are working as Fitter, Turner, Electricians and Welders. They are in Category V having five to seven years experience. As per the promotion policy of the Company, the workers shall be promoted to the higher category after five years of service. Hence it is prayed to direct the Management to promote them to Category VI to the nine employees with effect from 21-1-1981 or from the completion of five years of service whichever is earlier and also pay consequential arrears.

14. Issue 5.—Bittu Malliah is senior Mason. He is in category V having considerable service in 18 M.W./Power House which is highly skilled job. Masons in Kothagudem Power House are given Category VI. Hence Bittu Malliah be given Category VI with effect from 21-1-1981.

15. Issue 6.—It relates to grant of Category V to Paddi Venkai, Carpenter who is in Category IV from 1970 onwards. It is mentioned that all mines and departmental employees are promoted after five years of service but in this case though it became eligible for promotion to Category V in 1975. He was granted the said category. It is prayed that the Management should be directed to grant Category V to Paddi Venkai from 1975 onwards consequentially further promotion to Category VI in 1980.

16. Issue 7.—It relates to grant of Category V to N. Jagann Raju who is working in the Company since 1967. It is mentioned that he was working as Painter for the last four to five years but he was categorised as Category III Boiler Mazdoor. It is pointed out that the Management is extracting the work of Category V from him and the post of Painter at Kothagudem Power House is in Category V. Therefore, it is mentioned that the Petitioner N. Jagann Raju should be granted Category V from the date he started working as Painter.

17. Issue 8.—It relates to fixing of job description and categorisation to the workmen in 18 M.W. Power House, Godavari Khani. The Management has been extracting more onerous responsibility and highly skilled work and paying less wages. Hence it is just and necessary that the Management should be directed to award job description to each post in 18 M.W. Power House in consultation with the Petitioners Union.

18. Issue 9.—It relates to workmen in Power House are exposed to coal dust, heat, thermal climate etc. and they were not paid any special allowance. The drivers in C.S.P. and C.H.P. are paid special allowance of Rs. 15.00 for exposing to dust. Special allowance are also paid to the workmen by the A.P.S.E.B. and other Power Houses in the country. Hence the Tribunal may be pleased to direct the Management to grant Rs. 60.00 to each worker in Power House from 21-1-1981 and also Heat/Thermal allowance of Rs. 30.00 per month to the Boiler Attendants and other workmen engaged in the Boiler from 21-1-1981.

In I. D. No. 6/82

19. In the written statement filed by the Management all these allegations were denied. It is maintained that the wage structure of different categories of operational and maintenance personnel in their Power Houses are subsequently higher than the emoluments drawn by their counter parts run by A.P.S.E.B. etc. It is pointed out that they made improvement in the wage scales of certain categories of workmen of 18 M.W. Power House, Ramagundam like Boiler Attendants, Assistant Boiler Attendants, Turbine Drivers, Auxillary Turbine Attendants, Switchboard Attendants and Boiler Maistry with effect from 1-1-1980 at the instance of the Union. This was done much before the conclusion of the discussions on various demands of the Union.

20. According to the Management, in the mean time the Union issued strike notice with charter of demands. The A. P. Colliery Mazdoor Sangh in its strike notice dated 30-11-1980 incorporated number of demands in respect of workers of 18 M.W. Power Houses, Godavari Khani against demand No. 28. These demands interalia relate to Category VI OC Grade to Switchboard Attendants, Dust allowance, charge allowance, washing allowance, incentive bonus, higher grades for Boiler Attendants etc. According to the Management, these demands on behalf of the workers of 18 M.W. Power House, Ramagundam were raised in the wake of the improvement already effected in the categories of the same power house workers with 1-8-1980 and it should be considered that these are additional demands which the Sangh intended to represent on behalf of the workers of the above Power House. The present demand is in breach of settlement dated 21-1-1981 wherein it was agreed that it shall be in full and final settlement of demands and the demand not referred to shall be deemed to be withdrawn. It is also agreed that the Settlement shall be in operation during the tenure of the present wage agreement which will remain in force till the end of April 1982 and during that period no demands involving monetary commitments will be

entertained by the Management. The management of Singareni Collieries Company Limited has three Power Stations at Kothagudem, Bellampally and Godavari Khani with varying capacities and power houses at Godavari was later in origin and was established in 1968-69 while it cannot be said that the Power House at Godavari Khani is highly sophisticated, the operation of it is relatively easier when compared to the other two power stations which were established much earlier. On this account there is no case for allotment of higher category to workmen of 18 M.W. Power House. The workmen of all the three Power Houses are treated on par and they are also liable to be transferred from one Power Station to the other. There is no substance and allegation that the Management is exploiting these employees by paying less wages. The contention of the Union that the issues referred for adjudication are not subject matter of the settlement dated 29-1-1981 carries no conviction.

In I. D. No. 12/82

21. It is pointed out by the management with reference to the issues referred in parawise as follows :

22. Issue 1.—It is not correct to state that Category V and Grade 'D' of the Switchboard Attendants are the same. Comparison of Switchboard Attendants with other categories of workmen of the power house or Mines are not equitable. The Switchboard Attendants are required to watch the metres and take the readings and to take corrective steps if the meter is abnormally low or high and Grade 'D' allotted to them is commensurate with the scale.

23. It is not correct to state that as per the policy of the management promotion will be given to next higher category on completion of five years of service. Infact such a demand was not pressed and was treated withdrawn as per the Settlement dated 29-1-1981.

24. Issue 2.—With reference to issue 2 of the claim petition in the Memorandum of Settlement dated 29-1-1981 to which the Union is a party, it was agreed that these Attendants in Category III be placed with Category IV with effect from 1-4-1980 vide Item 21. The Plant Attendants are continuing to perform the same jobs as before and there is no justification for allotment for higher category. The Water Softening Attendants of Power House, Ramagundam who were in Category IV were placed in Category V in 1981. There is no case for increment, they cannot be equated with Pump Khalasis. It is also further mentioned that under the Settlement dated 29-1-1981 it was agreed that all those who did not get the benefit of extra increment earlier will be allowed lumpsum amount equal to one increment for one year and the workmen in question have already received the said amount.

25. Issue 3.—The Auxillary Turbine Attendant of all the Power Houses were originally in Category III when these Auxillary Turbine Attendants of Power House, Ramagundam were placed in Category IV in 1979. The auxillary Turbine Attendants working in other Power Houses also claimed the same category as the nature of work performed by them is the same. In the Settlement dated 29-1-1981 to which the Union is a party, it is agreed that the Auxillary Turbine Attendants in Category III will be placed in Category IV. There is no truth in the statement that the Auxillary Turbine Attendants in the other Power Houses of Kothagudem and Bellampally are always kept in one category less than those working in Power House of Ramagundam. Item 21 of the Settlement dated 29-1-1981 is a self-explanatory in this regard.

26. Issue 4.—With reference to this Issue, Fitters, Turners, Electricians, and Welders who are Tradesmen are not employed in Power Houses but also in Mines, Workshops and allied Departments. The cadre scheme for tradesmen provides for promotion upto Category V on completion of three years satisfactory service in Category IV. There is no automatic promotion to the Category VI on completion of five years service as alleged. Tradesmen of Power House, Ramagundam alone cannot be singled out for preferential treatment.

27. Issue 5.—Sri Bittu Malliah was appointed as Mason in 1940 and he was placed in Category V with effect from 1-1-1979. The Mason at Power House, Kothagundam has already enjoyed Category V from the inception and thus

he was placed in Grade 'D' (monthly grade). It is not correct to State that the Mason in Power House, Kothagundem was placed in Category VI. Hence there is no justification in seeking allotment in higher category to Bittu Mallalah.

28. There is no full time work for a Carpenter in the Power House, Ramagundem, Sri P. Venkatesh who was a Tindal in Category IV was re-designated as Carpenter in 1979 more so to satisfy him. He would become entitled to Category V only after completion of three years, as is allowed to other carpenters. The allegation made that he has been working as a Carpenter from 1970 is denied.

29. Issue 7.—There is no function of any Painter in Power House in Ramagundem as there is no full time job of Painter as in the case of Kothagundem Power House. However Sri N. Jagannath Raju is being paid on officiating allowance (difference of wages) as and when his services are utilised as a Painter. The Management would not have hesitated to create the post of Painter if there is full time job.

30. Issue 8.—The Management has not brought about any changes in the nature of work performed by any of the workmen in Power Houses. The designation themselves would indicate the jobs to be carried out by them in general. However Joint Bipartite Committee for the Coal Industry is seized of this issue and the Management would follow any decision taken at the industry level.

31. Issue 9.—The special allowance of Rs. 15.00 per month is being paid to the Drivers as employed on Coal transport under the agreement with this Union. There is no case for payment of any special allowance for dust, heat etc. for Power House workers. As it is under the purview of the Joint Bipartite Committee for Coal Industry of the National Coal Wage Agreement-II.

32. The Management, therefore, prayed that all these claims should be dismissed in limine.

33. The counsel appearing for the workers and the Management filed a Memo dated 3-12-1984 requesting this Tribunal to pass a Common Award in I. D. No. 6 of 1982 and I. D. No. 12 of 1982. Hence these two industrial disputes are jointly considered.

34. The evidence that was in I. D. No. 6 of 1982 is to the following facts. The workers examined two witnesses WW-1 and WW-2 and marked Exs. W-1 to W-7 while the Management examined MW-1 and MW-2 and marked Exs. M-1 to M-11.

35. WW-1 is the Secretary, Power House Employees belonging to A. P. Collieries Mazdoor Sangh. He filed Exs. W-1 to W-3 as representation made by them to the General Manager demanding Category V to Water Treatment Attendants of the Power House, and he filed Ex. W-4 as a representation made to the Assistant Labour Commissioner and they mentioned Ex. W-5 as the additional points before the Conciliation Officer and Ex. W-6 is the failure report sent by the Assistant Commissioner of Labour (Central). According to him after the failure report, the employer have given Category V with effect from 15-8-1981 where as they are claiming Category V from 1-1-1980. The intimation letter given by them to the Government is marked as Ex. W-7. He denied the knowledge about the settlement between the Management and all the Unions. According to him their Union was not a party. Ex. M-1 is the strike notice. Ex. M-2 contains demand issued in the strike notice. He admitted that A. Raghuramulu is the Vice President and K. Ramakrishna Rao is the General Secretary. But he mentioned that K. Ramakrishna Rao who was the General Secretary did not tell him about any settlement on 29-1-1981. He denied the suggestion that the Union as well as other Union entered into settlement with the Management on 29-1-1981 giving up certain demands except the demand they were agreed to in that settlement. Ex. M-3 is the photostat copy of the application of the workmen to the Divisional Superintendent containing signatures of the workmen. He showed that from August 1981 he was given Category V.

36. WW-2 is one K. Ramakrishna Rao who is the Vice President of the Andhra Pradesh Collieries Mazdoor Sangh Godavari Branch. He admitted that before Mr. A. Raghuramulu was the Vice President and during that time he was

the General Secretary of the Mazdoor Sangh. He conceded that their Union is also a party to the Settlement dated 29-1-1981. He admitted that Water Treatment Attendants were given Category V from 15-8-1981 and they want that the said Category should be given from 1-1-1981. According to him on 29-1-1981 the Settlement under Section 12(3) of the I. D. Act with the A. P. Collieries Mazdoor Sangh were arrived at. By that settlement the workers of A.M. 5 Machine Operator were given Category V with effect from 1-3-1982. He further mentioned that there is another agreement under Section 12(3) of the I. D. Act on 24-9-1982 with S. C. Workers Union and that Union was also a party to the agreement of 29-1-1981. It is his case that the Settlement is there on 29-1-1981 the Management had entered into various other settlements with individual unions and thus the implementation of the Settlement dated 29-1-1981 for the Water Treatment Attendants from 15-8-1981 is not proper. He conceded that in Ex. M-3 there is no demand for Category V from earlier date or that there is an indication on making individual representations. According to him that the Settlement dated 29-1-1981 was arrived at because of strike notice of Ex. M-1.

37. MW-1 is the Deputy Chief Personnel Officer, S.C. Co. Ltd., Kothagundem. He admitted that there is a category of workmen called Water Treatment Attendants who worked in Power House and there is a Wage Board recommendations fixing the salary of various categories. According to him the Water Treatment Attendants were fixed in Category III. Subsequently on representation of the wage board recommendations, various Unions of workers raised a demand regarding going to higher category. He pointed out that the Union made a demand with reference to the Power House workers meaning Water Treatment Attendants as one of their demands in I. D. No. 36 of 1987 their claims were referred for adjudication. He mentioned that when the matter was pending the dispute was referred for arbitration to Sri Kothagundem Bench and as per his award this Tribunal passed the award in the said industrial dispute.

38. MW-2 is the Deputy Chief Personnel Officer, S.C. Co. Ltd., Kothagundem. He admitted that there is a category of workmen called Water Treatment Attendants who worked in Power House and there is a Wage Board recommendations fixing the salary of various categories. According to him the Water Treatment Attendants were fixed in Category III. Subsequently on representation of the wage board recommendations, various Unions of workers raised a demand regarding going to higher category. He pointed out that the Union made a demand with reference to the Power House workers meaning Water Treatment Attendants as one of their demands in I. D. No. 36 of 1987 their claims were referred for adjudication. He mentioned that when the matter was pending the dispute was referred for arbitration to Sri Kothagundem Bench and as per his award this Tribunal passed the award in the said industrial dispute.

39. The Union demanded Category IV for these Attendants as the Arbitration award that the category III was justified for them. In 1980 all the Unions again submitted a charter of demands including the demand on behalf of the Water Treatment Attendants Category V was demanded for these Attendants by A. P. Collieries Mazdoor Sangh. Ex. M-4 is the photostat copy of their demand and Ex. M-5 is the strike notice given by them. Four Unions i.e. S.C. Workers Union, United Coal Labour Union, S.C. Employees' Union and A. P. Collieries Mazdoor Sangh raised these demands. In the broad settlement arrived at on these demands on 29-1-1981 under Section 12(3) of the I.D. Act as per Ex. M-6 for which the witness deposed as one of the signatories. He mentioned that there was Settlement. According to the witness Ex. M-7 pointed pamphlet issued by this particular Association regarding the demand of Attendants and Ex. M-6 Settlement refers to the demand of Water Treatment Attendants also.

39. According to him by 1977 only Ramagundem Water Treatment Attendants were given Category IV while the Attendants in other two power houses remained in Category III. By virtue of this Ex. M-6 Settlement the Attendants in other two power houses were already placed in Category IV on par with Attendants of Ramagundem Power Houses with effect from 1-4-1980. According to the witness the said Agreement is final settlement with reference to all the demands made by all the Unions and that the demands which were not referred to in the Settlement would be deemed to have been withdrawn. According to him as per Settlement till 31-12-1982 they should not raise any further demand as the National Coal Wage Agreement II would be in force till then. According to him the Union wanted these Attendants to be placed in Category V by the Vice President of the Union Sri A. Raghuramulu to the Assistant Labour Commissioner on 17-1-1981 and the copy of the same is marked as Ex. M-8. The witness pointed out that the said settlement was signed Ex. M-6 Settlement and the Union was not a party. Later on resorted to go-slow tactics and non-cooperation and submitted a joint representation under Ex. M-9 and it was given to them on 25-9-1981. He mentioned that they gave Category V from 15-8-1981 as a special case. It is his case that during 1980-81 the Company incurred loss of Rs. 18.81 crores while the loss was Rs. 17.9 crores in 1979-80, as per the balance sheets Exs. M10 and M11. In the cross exami-

ination he stated that he did not know the details of the nature of work and duties performed by Water Treatment Attendants. He also conceded that the design of the Power House at Ramagundam and Kolihagundam are different. He admitted that the earlier recommendation of the Wage Board did not cover the Power Houses workmen especially these Water Treatment Attendants. He mentioned that as per Mazumdar Award 1956 Attendants were in old Category V and in 1975 as per N.C.W.A.-1 these workmen were placed in Cat. III. According to him the Wage Board reduced the ten Categories specified in Mazumdar Award into six categories and all these categories were continued in subsequent to Wage Agreement. According to him Sri Raghunath Reddy Award was passed in February 1974 and it was prior to NCWA-1. The said witness mentioned that he deposed with regard to ID No. 12 of 1982 also with reference to Ex. M6. He mentioned that they are giving monetary benefit in exceptional cases like the present one and they are prepared for giving Cat. V in spite of the Settlement when they were compelled to conceive. According to him by trial of strength whenever they were constrained by circumstances they would go out of the way to meet the demands though unreasonable. According to him in this reference 10 workmen were involved. According to him SC Engineering Workers Union is not a recognised Union but there was an agreement with that Union under Section 12(3) of the ID Act on 24-9-1982. He contended that he was informed that there was basically no difference between the work performed by the workmen in Ramagundam Power House and the work in the other two Power Houses except for slight difference basing the different design of the Boiler in the Power Houses. He mentioned that they are all unskilled jobs. According to him the Union was demanding for categorisation of these workmen in Cat. V from 1-1-1980 as per Ex. M8.

40. MW2 Sri V. Venkateshwar Rao who is the Senior Executive Engineer in Singareni Collieries Company, Godavari Khani, Ramagundam, and he deposed that he knew the Water Treatment Attendants concerned in this reference, as they work under his supervision. According to him these workmen run 30 KW and 4 KW pump and bring samples for every two hours and they also do the routine job of testing the water and record the readings. According to him there were two sections in this, one is pre-treatment section and the other is Treatment section. He mentioned that two workmen would be working in the pre-treatment section and one would be working in the Treatment section, and they work only in first and second shift only and in the third shift only one water treatment attendant works in the Treatment Section. It is his case that no educational qualification is required for them merely switch on and switch off. It is his case that it is sufficient if they can read and write. In the case of General Mazdoors, the persons are selected seeing their aptitude and then designated as Water Treatment Attendant. He admitted that for testing the Water they have to bring the samples and allow the solution from the burette and observe whether colour is changed or not. He also could not say whether they were given any guidelines to identify what jobs are skilled and what jobs are unskilled. In I. D. No. 12 of 1982 the following oral evidences is set in.

41. W. W. 1 is one Linga Reddy working as Auxillary Turbine Attendant in 18 M. W. Power House, Godavari Khani since 1970. He mentioned the names of other Auxillary Turbine Attendants working along with him. He mentioned the names of Lakshminarayana, Jacob Bikshalu, M. V. S. S. Murthy and Ambeti Venkati as the Auxillary Turbine Attendant along with him. It is his case that on 18-8-1970 M. V. S. S. Murthy and Jacob Bikshalu were promoted by a common order to Category III Auxillary Turbine Attendants and marked Ex. W-1 is the photostat copy contended that Jacob Bikshalu is shown as K. Bishalu and Ambeti Venkati is also promoted to Category III. According to him T. Lakshminarayana was promoted to the above category subsequent to they were promoted and there is no difference in category between Auxillary Attendants working in Auxillary Turbine Attendants or Auxillary Plant Attendants, or Auxillary water Softner Attendants. According to him all these three types of Attendants workers are promoted in the year 1970 to Cat. III but Auxillary Water Softner Attendants in category III were promoted to Category IV in the year 1978, while the Auxillary plant Attendants

in Category III were promoted to Category IV in the year 1975. It is his case that the Auxillary Turbine Attendants including himself of Cat. III were promoted to Cat. IV in the year 1980, thus delaying their promotion for two years. It is his case that they should have been promoted to Cat. IV in the year 1978 itself along with the Auxillary Water Softner Attendants. He further mentioned that the Auxillary Softner Attendants of Cat. IV were given further promotion to Cat. V in the year 1981. It is his case that they represented to the General Manager of the Company to give them reasonable grade and Ex. W2 is the copy of the representation dated 16-7-1981. According to him the Turbine Drivers are in Grade 'C' and they have got similar duties in the shift vacancies, the Auxillary Turbine Attendants attend as Turbine Drivers. According to him whenever they attend as Turbine Drivers they were treated as 'C' Grade, and also paid 'C' Grade scales. It is also his case that there is no proper method and manner of promotion. According to him the demand is not the part of the Settlements. He admitted that Turbine Attendants are different from Auxillary Turbine Attendants and their pay is fixed as per Grade on monthly basis and while their pay is fixed categorywise calculating on daily basis though paid in a month. He denied the suggestion that they should work for a period of three years for Category IV to get eligibility of Category V. He admitted that they are transferable from one Power House to another power house situated in the various places. He denied the suggestion that the type of work discharged by them is different from the type of work discharged by the Auxillary Plant Attendants and Auxillary Water Softner Attendants.

42. W. W. 2 Sri V. Narasimhamiah who is Switch Board Attendant. He mentioned that K. Madhava Rao, K. Rajareddy G. Venkateswar Reddy, N. Niranjana Chari, N. Chandriah, K. Gattiah and J. Sriramachandiah Murthy are also working as Switch Board Attendants. According to him all of them passed R. S. C. and I.T.I. examinations and they were promoted to Category V in February 1974 and the next promotion would be either Category VI or 'C' grade. According to him both Category V and 'C' Grade are equal with a difference that Category VI pay is daily rate whereas 'C' Grade pay is monthly rated with increments. The grade equal to Cat. V is 'D' Grade and he was given 'D' Grade in the year 1980 changing from Cat. V. He mentioned that Turbine Attendants are in 'C' Grade. According to him the Switch Board Attendant like him has to work five years in Cat. V to get promotion to Cat. VI. Turbine Attendants and Boiler Attendants of Cat. V were given promotion to 'C' Grade which is equivalent to Cat. VI after they put in five years service in Cat. V. On 22-8-1980 himself and four Switch Board Attendants were given only 'D' Grade Ex. W3 is the photostat copy of the office order. Ex. W4 is the photostat copy of the order dt. 18-1-1975 showing that they were posted to Cat. V from 11-2-1974. It is his case that they are entitled to Cat. VI or its equivalent to 'C' Grade with effect from 11-2-1979 in the cross examination he admitted that increment of 'D' Grade are higher than the increment in Cat. V. According to him the nature of duties of Turbine Attendants and Boiler Attendants are different from the nature of duties of Switchboard attendants. According to him the Switch Board Attendants have to work as Electrician and they have to operate air compressor also and all of them are trained Electricians and Wiremen in I.T.I.

43. W.W.3 Sri Abdul Lateef who is the plant attendant since 1970. According to him B. Rajaiah, V. Shanker and Shaik Mastan are also working as Plant Attendants since 1970. Their duties are to regulate the Water in the Power House and they operate four motors of 50 H.P. capacity in regulating water and two small motors of 15 H.P. capacity in regulating the waste water. According to him the Attendants who work in the Turbine Section are called Auxillary Turbine Attendants. While they are called Plant Attendants. It is his case that there is no post called Turbine Attendant or Auxillary Plant Attendant in the Company and similarly there is no post of Auxillary Water Softner Attendant. It is his case that all the Attendants working in all the three sections are given Cat. III in the year 1970. He mentioned that the Water Softner Attendants was given Cat. IV in the year 1978 and they made a representation through their Union to the Management to give Cat. IV also under Ex. W5. The other representation given to the General Manager by their colleagues is under the original of Ex. W6 dated 30-12-1978. Ex. W7 is the copy of the

Company communication that their case is under consideration. According to him the Company by its order date 4-2-1979 (Ex. WB) they were given Cat. IV. They made representations under Exs. W9, 10 and W11 for higher category but the Management rejected the same under Ex. W12, W13 and W14. According to him when the Water Soltner Attendant is given Cat. V in the year 1981 they were not given the same and they made a representation on 28-3-81 under Ex. W15 copy. According to them they also are entitled for additional increment in discharging duties as they are exposed to dust and ash in the Power House apart from the heat in the power house for which they are entitled for special allowance. He denied the suggestion that the duties of Boiler Attendants and Turbine Attendants are very different from the duties of Plant Attendants. He asserted that these duties of all three categories are similar.

44. W.W. 4 Sri A. Raghuramulu is the Vice President of A. P. Collieries Sangh for the last 15 years. According to him there are three Power Houses of the Company in Bellampally, Godavari Khani and Kothagudem. The Power House at Godavari Khani is 18 M. W., the Power House at Kothagudem is 6 M.W. and the Power House at Bellampally is 5 M. W. According to him the Roman Engineers built the power House at Godavari Khani during the years 1965 to 1968 while the other two Power Houses were built during the British Regime. It is his case that the Power Houses of Godavari Khani is highly sophisticated and modern type whereas the other two power houses are old type Lancashire. According to him on 14-9-1981 they submitted their demands regarding the employees of the Power House to the Conciliation Officer under Ex. W6 original. The view points expressed by the Conciliation Officer are marked under Ex. W7 copy. The Management submitted their view points under Ex. W18. The Godavari Khani workers issued a strike notice detailing their problems and demands as per Ex. W19 original. On 12-1-1982 the workers wrote the letter to the Assistant Commissioner of Labour (Central) with reference to Ex. W19 strike notice. Ex. W20 is the copy of the latter they intimated about they would go on strike if no settlement is reached between on 23-1-82. According to him only 9 demands of the workers were referred in the Government notification while there are 37 demands. According to him there are several sections in the Power House such as Boiler Section, Turbine Section, Pump Section, Water Treatment Section, Plant Section, Coal Mill Section etc. and there is no section called Control Room Section. It is only a Switch Board Section. According to him he mentioned that the workers of A. P. Electricity Board they are paid Dust allowance and Thermal Allowance. He admitted that their Union and three other union entered into a settlement with the company on 29-1-1981 and some of the demands not covered by the above Settlement as withdrawn were letter submitted for arbitration as agreed upon by the Company and their Unions. According to the said Settlement dt. 29-1-1981 was to be in force from 31-12-1982 by which time the wage agreement tenure expires. According to the Management entered several demands involving monetary commitments and benefited several other workers when some of the politicians and Trade Unions interfered and in their case they were trying to put the settlement as obstruction. According to him he is the Trade Union leader now affiliated to INTUC and Sri G. Sanjeeva Reddy is the President of their Union. According to him there is no change in the duties of the workers of the three categories. According to them they wanted for inclusion of job distribution and standardisation of workers working in the Power Houses within the jurisdiction of National Coal Wage Agreement II. He denied the suggestion that these workers are not entitled for higher categorisation and higher emoluments.

45. W. W. 5 Sri S. Malleshwariah who is a Turner working in the Power House of Godavari Khani. He has nine years of experience in Cat. V out of 18 years total service. According to him there are vacancies in Cat. VI and they are seeking for wages of Cat. VI. According to him the policy of the Company was to give promotion to the next higher category after every five years. They are demanding Cat. VI wages should be paid from 21-8-1981. He mentioned that certain other person who were given such promotions. He mentioned the names of Bithu Malaiah, Peddi Venkati, Jagga Raju and some others. According to him Fitters and Turners are Tradesmen working in Mines and Workshops, and after three years satisfactory service they were given Cat. V and after vacancy promotions are made to Cat. VI.

He contended that tests are conducted for promotion to Cat. VI.

46. On behalf of the Management M. W. 1 Sri V. Gopala Sastry, Deputy Chief Personnel Officer was examined. He deposes that he knew all these workers and there are representations made under Ex. M 1 to W 4. According to him some broad discussions took place by their Union with the Chairman and Managing Director in the middle of 1980. At the instance of the Managing Director, the General Manager Sri Sathe considered all these demands and he gave a decision as per Ex. M 5 original. It is his case again said that all the Unions set up a charter of demands and this Union also submitted the strike notice under Ex. M6. According to him the broad settlement was arrived at before the Assistant Commissioner of Labour (Central) and it is Settlement under Section 12(3) and he was one of the signatories for the same. He marked the said Settlement as Ex. M7. According to him even after the said Settlement the Union made representations and raised a dispute relating to the Power Houses and they were in fact established in making the issue of the Power Houses in view of the settlement. According to him when there were vacancies for higher categories some are done after the tests are held and Tradesmen like Turner, Fitters, Electricians and Welders are covered for such promotions and he deposed that all these demands item-wise for Carpenters, Painters and with reference to Item 8 and other things were not justified. He conceded that the Manager entered into agreement with S. C. Engineering Workers Union in respect of issues regarding A. M. 15 Machine and also with Singareni Coal Mines Karmika Sangham relating to Prospecting Department. He admitted that minimum wage of Grade D and Cat. V are identical and for Cat. VI and Grade C minimum wages are equal. He admitted that Turbine Attendant and Plant Attendant are given Cat. III. He admitted that by basing the Wage Board agreement they are also given higher categories to certain persons depending upon their experience.

47. M.W.2 Sri V. Venkateshwar Rao, Senior Executive Engineer of the Power House. According to him there are 12 Fitters in various categories and that the job of the Plant Attendants and Conveyor Khalasis is always same. He also mentioned that the Pump Attendants and Plant Attendants are same except that they have to work on different pumps. No qualifications are required.

48. The admitted facts of the case are the Singareni Collieries Company Limited has three power houses at Kothagudem, Bellampally and Godavari Khani with varying capacities and the Power House at Godavari Khani was later in origin and the same was established in 1968/69 it is not in dispute that the Power House at Godavari Khani is highly sophisticated and it is of 18 M. W. Power House. The Power House at Godavari Khani (Ramagundam) is the matter in issue. The Management of Singareni Collieries Company Limited, with its Headquarters at Kothagudem, in the light of sporadic strikes taking place all over Collieries situated at Kothagudem, Bellampally, Godavari Khani, Munuguru etc. finally initiated dialogue with the Union in the first of 1980. On their demands finally a Settlement was reached on 29-1-1981 at Hyderabad. The Management was represented by its Officers as mentioned in Ex. M7 in I. D. No. 12 of 1982. The workmen were represented by Singareni Collieries Workers' Union, Tandur Coal Mines Labour Union, S. C. Employees' Union, A. P. Colliery Mazdoor Sangh. The said Settlement would show that in order to secure durable industrial peace and to achieve moratorium on strike, there was a settlement arrived at and it is mentioned that the said Settlement will be in operation during the tenure of the present wage agreement and during that period no demand involving any monetary commitment will be entertained by the Management. It is further mentioned that this is a full and final settlement of all the demands and the demands which are not referred in the said settlement shall be deemed to have been withdrawn. According to the Management, in view of the said Settlement, the said reference had no relevance and the said reference should be dismissed in limine. According to Sri Bikshanathi who is appearing for the workers said that settlement has no bearing to the individual cases and further mentioned that Clause 21 of the said Settlement will not apply to the cases which are now under dispute since these are workers already in Cat. IV and clause 21(b) had no reference to the Ash Mazdoor working at Godavari Khani. He further mentioned that the Wage Agreement mentioned in settlement expired on 31-12-1982 and this

Settlement was in operation upto 31-12-1982 and the employees placed their demand on 29-12-1980 and strike notice was given on 30-11-1980 by the A.P. Colliery Mazdoor Sangh and the notice given on 12-1-1981 by the A.P. Colliery Mazdoor Sangh mentioned above the Power House demand. According to him the Settlement is not in respect of the individual demand subsisting since 1978 and none of these Settlements or agreement referred to individual workmen and under Section 2(k) of the I.D. Act individuals cannot seek benefit and their causes should be espoused by their Unions only and thus the said Settlement has no bearing to the individual cases and thus the question of estoppel as set up by the Management did not arise. Further Sri Bikshapathi contended that though there is alleged bar under the said Settlement, the Management has entered into various settlements within the same period as admitted by M.W.1. with various other workers.

49. Before deciding that point whether the Settlement comes in the way of these disputes, it is necessary to have a number of summary of the situation as it is existing. Singareni Collieries has got more than 80,000 workers and there are operations at different coal mines. It is also not in dispute that the said Management is having workers organised into different Unions which are recognised and also unrecognised and these unions formed for collective bargaining with the Company. On 15-8-1967 the Government of India constituted a Central Wage Board for Coal Mine industry and all the daily wage workers who were working by that time, 9 categories were cushioned into 6 categories by the said Wage Board. The first category is known as unskilled workers, second and third categories are known as semi-skilled workers and the fourth categories is known as Junior semi-skilled workmen and fifth category is known as Senior skilled workmen and sixth category as highly skilled. All these categories are on daily wage basis but their salaries are paid monthly. On 1-1-1975 first National Coal Wage Agreement came into force. The said agreement was in force for four years and then second National Coal Wage Agreement was enforced on 1-1-1979 and the third National Coal Wage Agreement came into force on 1-1-1983. For all these National Coal Wage Board agreements the workers also parties and this N.C.W.A. is for all coal mines in India and not only for Singareni Collieries.

50. In the Singareni Collieries there are 8 grades of workers in the daily wages, were paid monthly wise which are known as Grades A to H. This A.P. Collieries Mazdoor Sangh gave strike notice with 28 demands and ultimately it is found that one of the parties of the said Settlement Ex. M7 in the two matters. The learned counsel for the Management, Miss G. Sudha mentioned that under Section 18 of the I.D. Act read with the provisions of Settlement the same has a full statutory force and therefore the matters cannot be opened and these workers have no locus standi to come to this Tribunal by way of reference and that the reference itself is bad. Under Section 18 of the I.D. Act a settlement was arrived at in the course of the conciliation proceedings or an award which is declared by the appropriate Government shall be binding on all parties to the industrial dispute and also on the party, if it is passed, all employees who are established or part of the establishment, as the case may be, to which the disputes relate. In other words a settlement arrived at by an agreement between the employer and the employee other than in the course of conciliation proceedings, shall be binding on the parties to the agreement. In an establishment if there are more than one Union if a settlement is arrived at bilaterally between the employer and a particular Union will not bind the other Unions or workmen who are not members of that union with whom the Settlement has been arrived at. In *Tata Chemicals v. Their Workmen* (1978 LIC, page 637 at 642 S.C.) it was held that implied agreement by acquiescence or conduct such as acceptance of a benefit under an agreement to which the worker acquiescence or accepting the benefit was not a party, being outside the purview of the Act, it is not binding on such a worker either under Sub-Section (i) or Sub-Section (iii) of Section 18. In *Central Talkies v. Munuswamy* (1955 (II) LLJ, page 477), *New India Assurance Company Ltd. v. Industrial Tribunal* (1954 (ii) LLJ, page 21), *Bilashchandra Mitra v. Balmer Lawrie & Co.* (1953 (I) LLJ, page 337) it was held that a dispute between the employer and a single employee cannot per se be an industrial dispute, but it may

become one if it is taken up by the Union or a number of workmen. Section 2(k) of the I.D. Act is wide enough to cover a dispute between an employer and a single employee. In *Associated Cement Companies Limited v. Their Workmen* [1960 (I) LLJ, page 491] the conflict in the judicial opinion on the subject was brought to rest stating the object of the Act is the prevention of industrial strike, strikes and lockouts and the promotion of industrial peace and not to take place of ordinary Tribunals of the land for the enforcement of contracts between an employer and an individual workmen. Thus viewed the provisions of the Act lead to the conclusion that its applicability to an individual dispute as opposed to dispute involving a group of workmen is excluded unless it acquires the general characteristic of an industrial dispute viz the workmen as a body or as a considerable section of them make common cause with the individual workman. Thus viewed from these settled principles the following tests will indicate to determine when an individual dispute becomes an industrial dispute who has sponsored the individual disputes (2) can those who sponsor the individual dispute be said to be truly representative of the class of workmen (3) time when the dispute is sponsored or supported (4) proof of support (5) Membership of the Union of the persons whose dispute is supported and (6) community of interest between those who support the dispute and the person whose dispute is supported. Thus applying these tests and the decision discussed supra under Section 2(k) of the I.D. Act it is quite clear that Section 18 of the I.D. Act with reference to the Settlement arrived at by all the Unions had no relevance to these individual workers i.e. to these 8 workers of Switch Board working in 18 M.W. Power House at Godavari Khani and four Plant Attendants, five Auxillary Attendants of the said Power House and the persons mentioned as turners Fitters, Electricians and Welders of the Power House referred in the fourth point of the reference and with reference to Mason, Bittu Malliah and Piddi Venkati, Carpenter and N. Jagan Raju General Mazdoor in the post of Painter as there is no whisper about their problems of granting the next higher grade as their individual case of granting promotion to next higher grade as mentioned therein in the settlement. Moreover the Union has taken up these individual workers cases on 21-8-1981 while the Settlement was arrived at 29-1-1981. So the time when the dispute is sponsored or started by the Union and the individual disputes are also truly represented the loss of workmen and the A.P. Collieries Mazdoor Sangh having fully being a recognised union and signatory to the settlement has taken up these individual cases basing upon the Membership of the said persons in their Union and supported and there is a community of interest between those who supported the dispute of the person whose dispute is supported. Thus after careful consideration of the entire matter I hold that the provision in the Settlement Ex. M7 or M6 as the case may be, that the said Union who were signatories to the settlement gave up all the demands not referred to should be demand to be withdrawn is not binding and it had no force or estoppel against the Union taking up the individual cases as referred to now as they come under Section 2(k) of the Act and satisfy the tests referred to just now. Moreover the Management evidence M.W.1 would show that the Management entered into an agreement on 20-8-1982 under Section 12(3) of the I.D. Act that Singareni Collieries Engineering Workers Union in respect of issues with regard to A.M. 50 machine and similarly there was also a Settlement under Section 12(3) of the I.D. Act dt. 29-8-1981 between the Management and Singareni Coal Mines Karmika Sanghan on issues relating to Prospecting Department. He finally conceded that in spite of Ex. M7 a settlement it was a fact that they have considered some minor issue on merits subsequent to the said Settlement. Finally M.W.1 mentioned that those Settlements were with reference to the workmen in Prospecting Department numbering about 400 and 30 workmen relating to A.M. 50 machine and about 500 to 600 persons of Clerical staff in the Godavari Khani. M.W.1 tried to say that the present dispute (the demand) relating to individual workmen in the Power House and thus the question of various categories of workmen being promoted to higher categories did not arise. He finally accepted the Water Treatment Attendants were given higher category from 15-8-1981 and thus this would also show when the Water Treatment Attendants were part of the settlement Ex. M7 they were given higher category before the expiry of the settlement period fixed. The settlement

is accepted to be in operation during the tenure to the present Wage agreement and it was understood that no demands involving any monetary commitment will be entertained by the Management. If so when the said Settlement is there upto 31-12-1982 till N.C.W.A. II expires. It is not known how the Water Treatment Attendants were given higher category from 15-8-1981. The witness was made to swallow the truth. He admitted that they created problem and therefore they gave higher category. So it is clear that under Section 18 of the I.D. Act this so called settlement Ex. M7 is not estopped and when it is not an estoppel with reference to workers already covered under the Settlement, it is ridiculous to say that the same would be estopped or a bar for raising such a dispute subsequent to the settlement with reference to the individual workmen whose cause was taken up by the Union since they are members of the Union with community interest between the Union and the persons vice versa. Therefore I hold that the reference made is quite legal and valid and the said settlement is not estopped for considering these individual demands and it is also proper for the Union to take up those demands as they are not covered by the said Settlement. At best demands which are deemed to be withdrawn are with reference to these workmen who were part and parcel of the settlement it cannot be beyond that. When the same workmen were given higher scale when they gave trouble it is absurd to say these individual workers in different category who were not part of the settlement are estopped from raising a dispute which involves their promotion or higher grade or emoluments as the case may be.

51. The question is whether these Switch Board Attendants in 18 M.W. Power House, Godavari are entitled to Cat. VI/C Grade or not? Miss G. Sudha for the Management relied upon the judgement of Poona Mazdoor Sabha v. Dhutia & ANR. (1956(2)LLJ, page 319) and contended that no industrial dispute should be raised with reference to the Settlement. Even in the judgement it is mentioned that there is no specific provision in the industrial dispute which lays down that an industrial dispute cannot be raised with regard to the matter is the subject matter of the Settlement under Section 12 read with Section 19(2) of the Act. Further as already discussed when some of the points which are part of the Settlement are subsequently discussed and settled and when these individual employees gradations are not the subject matter of the said settlement; it cannot be said that the tenure of the industrial dispute cannot be raised. So it has no application. Similarly Miss Sudha relied upon the judgement reported in Indian Oxygen Limited, v. I.T. (1978(1)LLJ, page 302) stating that the present reference is hit by res judicata the provisions are being still in force and when the previous award being still in force, it cannot be varied except in accordance with law. The facts therein show that the factory had employed both workmen and office staff and in an earlier Award the office staff got Dearness Allowance linked to the consumer price index applicable to Delhi. The claim of the factory worker for similar payment of D.A. came to be referred for adjudication. Then the same matter came before the Tribunal and the Tribunal passed an award. In the earlier Award the said linkage that was given to the staff was not accepted in respect of the workers who are not represented. Thus it had no relevancy to the present facts in question. She also relied upon the judgement reported in Indian Industrial Workers Ltd. v. Engineering Mazdoor Sangh [1955 (2) ILLJ, page 675] questioning the reference by the Government under the Industrial Disputes Act as not valid. She contended that there must be an Industrial Dispute under the Act in existence and pending for reference and by virtue of the Settlement when there is none in law there is no authority to refer. That is a case with reference to the payment of every year Pooja Bonus equal to 7 days total emoluments when there was a prior award between the parties in force and operation the parties borne by such award wanted the Government to refer for adjudication an item of dispute covered by such award. In the context it was held that such reference relates to the said item of dispute covered by prior award when it was in force the said reference of issue amounts without jurisdiction. But there is no such settlement in this case. In fact the settlement Ex. M7 would show that a committee consisting of six representatives of the Management and the Union will be constituted to examine the specific issues, if any, having direct bearing on the

demand raised in the strike notice brought before the Committee by the unions and the Committee was expected to go round the other Collieries to study the pattern of work and social conditions, if any, to merit the review categories/issues already covered by the Award and Agreement including Sub-Committee constituted under the National Coal Wage Agreement II shall be outside the purview of this Committee and complaints of non-implementation if any, will be referred to this Committee. The demand of the unions to equate Carpenters, Masons, Tub Repairers, Painters, Plumbers, Punching Men, Sawyers, Tinkers, Bit Sharpners will be examined by the Committee and the Committee will submit its report to the Management within the period of six months. So as per Clause 3 there is a provision with reference to some of these individual employees regarding their non-implementation of gradations or categories and the Committee is expected to examine and submit its report within a period of six months. Thus there is no provision or bar and further nothing was done in that regard with reference to these problems of individual workers regarding their gradations and emoluments. She also relied upon the judgement of the Supreme Court in Bangalore Woollen Cotton and Silk Mills Co. Ltd. v. Their workmen and another [1968 (1) LLJ, page 553] and contended that when there is subsisting award binding on the parties in existence and when the same is not validly terminated Tribunal had no jurisdiction to consider the reference till the award is terminated by issue of notice contemplated under Section 19(6) of the I.D. Act. In the said Textile Mill an industrial dispute was raised by a certain categories of workmen and the State Government referred the matter to the Tribunal for adjudication. The Tribunal made an award whereby additions of certain clauses to the certified Standing Orders were included. There afterwards the workmen began to make certain claims for revision which were not conceded and then the reference was made by the State Government for which the Management raised two preliminary objections regarding the maintainability of such reference. In the instant case the evidence of M.W. 1 as well as the interpretation of Section 2(k) of the I.D. Act will show that these individual cases were not the subject matter of the reference and the Union is perfectly justified to take up their problems and the Management considered all the issues which were part of the Settlement and gave higher grades and increments while the Agreement is in existence and thus it cannot be questioned by the Management now that this Tribunal has no jurisdiction or that the reference is bad and without jurisdiction. On the other hand Sri G. Bikshapathi for the Workmen relied upon the decision reported in Workmen of Western India Match Co. Ltd. v. Western India Match Co. Ltd. (AIR 1966 S.C. page 976) it was held by the Supreme Court that where the Management agrees to a particular dispute which was the subject matter of the prior settlement between the parties being referred for adjudication to the Industrial Tribunal the Management is precluded later from objecting to the jurisdiction of the Tribunal on the ground that no formal notice as contemplated by Section 19(2) was given. In the instant case a notice was given subject to the Settlement and therefore even that objection there was no formal notice to the Management regarding these grievances has no force.

52. Miss G. Sudha for the Management relied upon the decision reported in Employers of Thungabhadra Industries Ltd. v. Their workmen and another [1973 (2) ILLJ, page 203] contended that the demand pertains to the dispute are inconsistent with the previous Settlement which is subsisting and that the workers are deemed to have withdrawn all the other demands which are settled. This Ex. M7 settlement is violated by the management itself as conceded by M.W. 1 and they have considered the employees of Water Treatment Attendants by giving higher category from 15-8-1981 as they created problem by them and also conceded the issues on merits subsequent to Ex. M7 Settlement regarding the issues of A.M. 50 Machines represented by S. C. Engineering Workers' Union and also of the Prospecting Department represented by S. C. Coal Mines Karmika Sangham. Thus they cannot say that the Unions violated having been party to the breach of the said Settlement by re-considering these settled issues under Ex. M7.

53. Miss Sudha relied upon the decision reported in Atlas Cycle Industries Ltd. v. Industrial Tribunal, Haryana and others (1973(2)LLJ, page 182) and contended that

when there is an existence of Settlement under Section 12(3) the reference is bad. In the light of the Supreme Court judgement in Newspaper Limited v. Industrial Tribunal (1957) (2) LLJ, page 1) and also the concession given by the Management itself by ignoring the said Settlement with reference to the people who were part of the settlement and when the same is not with reference to individual labourers whose problems were promised to be discussed by the Sub-Committee within a period of six months even as per the settlement it cannot be said that there is any bar with reference to the matter being referred to the Tribunal.

54. Now, coming to the facts. The first point to be decided is with regard to the Management refusing to grant Cat. VI/C Grade to the Switch Board Attendants in 18 M.W. Power House, Godawari Khani. But Union evidently agitating for various higher categories for the Switch Board Attendants from 1980 and finally charter of demands was given on 20-8-1981 for 23 demands. As there was no response, the matter was taken up before the conciliation officer and after the failure of the said conciliation proceedings out of the 23 demands the Government referred these 9 demands which are the subject matter of the reference to this Tribunal for consideration. All the Switch Board Attendants passed RSC and ITI Examinations and they were in Cat. V since February 1974 and they wanted promotion to Cat. VI or 'C' Grade, stating that there is no difference except in Cat. VI pay is daily rated whereas 'C' Grade is monthly wages and increments. That the present Cat. V is equal to 'D' Grade and that though they have completed more than five years in the present Category, they did not get the next promotion. To fortify their case WW2 deposed that Switch Board Attendants are like Turbine Attendants and Boiler Attendants of Category V. This Turbine Attendants and Boiler Attendants were given 'D' Grade after they had put in five years service. To prove the same they marked Ex. W3. Ex. W3 shows that the Switch Board control room attendants of 18MW Power House, Godawari Khani who were drawing Rs. 23.10 per day in Cat. V are placed in 'D' Grade with basic pay of Rs. 623.00 per month with effect from 1-8-1980. It is mentioned that they will be on probation for a period of three months and their confirmation in the post depending upon the earning and satisfactory reports about their work and attendance and conduct. They marked Ex. W4 dated 18-1-1975 to show that they were working as the said Switch Board Attendants in the Cat. V from 11-2-1974. It is their case that after completion of five years on 1-2-1979 they are entitled to 'C' Grade/Cat. VI. It is elicited that the Switch Board Attendants worked as Electricians and they also operate on Air Compressors and they were trained as Electricians and Wiremen in ITI. Admittedly the Switch Board Attendants have completed 9 years by now and they are not given any higher grade or promotion since 11-2-1974 as could be seen from Ex. W7.

55. The relevant documents pertain to this reference under Ex. W16 to W22. Admittedly there are other Sections in the Power House such as Boiler Section, Turbine Section, Water Treatment Section, Plant Section, Coal Mill Section, Control Room Section which is known as Switch Board section the employees working in the Turbine Section are having two categories namely Turbine Attendants and Auxillary Attendants. The Turbine Attendants is to be called as Turbine Drivers. The Union as contended that the Attendants whether they are working in the Plant Section, Water Treatment Section or Turbine Section at the Power House of Godawari Khani are always treated by one step higher than to their counter parts working in the other Power Houses of Kothagudam and Bellampalli and inspite of the suggestion of the Wage Board I the Management was not taking the subject and description and standard categorisation of the worker in the Power House and their duties were specified and categorised into writing, the same is causing inconvenience and trouble to the workers. According to the workers, they were made to work in the power house according to the likes and directions of the Management. The argument is raised by the Management that WW4 is not employed in the said Collieries at present and that he is engaged in the Trade Union activities and his Union is affiliated to INTUC and therefore his evidence when he did not work in the power house, it should be deemed that he is not competent to prove any claims of

these workmen. But it is no where stand that the person who is working in Trade Union activities simply because he did not work as a worker is not competent to prove the claim of the workmen. There is no such proposition of law laid down, some times common sense and some times representations given by the workers to the Management and the Trade Union with reference to their problems regarding the discharge of their duties from time to time and if any extra duties are suggested by the Management etc. can also be represented through a Trade Union leader, MW4 cannot be ignored as Trade Unionist and not a worker in the Power House. Infact he worked some time in the Cement Factory and afterwards joined the Trade Union activities. He mentioned that the Power House workers were discharging their duties from 1968 when the Powerhouse was constituted and after Balakrishna took charge as Deputy Chief Engineer he changed the duties of the workers and they were asked to do extra work like sweeping the floor and cleaning the machines. He asserted that the recommendation of the Wage Board for Coal Industry applied to the workers of the Power Houses also and that as per National Coal Wage Agreement II a joint bi-partite committee was constituted resolved the items not covered by the agreement of the same was not properly functioning due to rivalry between the Central Labour Union. But he asserted that it is a fact that the job description and standardisation of the workers working in the Power House within the jurisdiction of the said Committee. The Management suggested that having regard to the duties and responsibilities some of the above categories of workers were given promotion or category or grade as the case may be in some sections. WW4 admitted that the workers were given promotion in some sections but denied that the same was based upon duties and responsibilities. He explained in detail for each category of workers at Kothagudam and Bellampalli when compared to the workers at Godawari Khani, they were at a lower grade. According to him the higher categories given to the workers in Godawari Khani since their work load is more and the machinery is modern and sophisticated. On the other hand MW1 mentioned that the Switch Board Attendants issued as settled by the decision of the General Manager and it was raised before the Settlement in the demands but not pressed at the time of settlement in the chief itself. MW1 admitted that he is not conversant with the technical know-how of particular job on the technical side. He is only a Chief Personnel Officer. He admitted that prior to Ex. M7 settlement, the workmen were demanding individually and also through union for categorisation. He conceded that they had a settlement with the Water Treatment Attendants for higher categories from 15-8-1981 after Ex. M7 settlement. It is this case that the Switch Board Attendants may not be ITI certificate holders and they are not considered as tradesmen. He conceded that there is no specific settlement regarding the demand of Switch Board Operators in Ex. M7 settlement. As a Personnel Officer, he is not aware that the Switch Board Attendants and Turbine Attendants are I.T.I. qualified persons. But admitted that they are given monthly scales. He conceded that minimum of Grade D and Cat. V are identical but increments rate of D Grade is more and maximum scale of D grade is more than Cat. V. He also conceded for Cat. VI and Grade C the minimum wage are identical on the rate of increments and the maximum in higher Grade C and that there is promotion from Cat. V to Cat. VI. MW 1 could not tell the nature of job performed by the Switchboard Attendants and Turbine Attendants in detail. He could not even say that the Switch Board Attendants are shouldering the responsibilities of workmen in Cat. VI.

56. According to M.W. 2 the Switch Board Operators do not require any I.T.I. qualification and after giving them training they can be appointed to those posts. According to him they have to read the various readings of the meters in Control Room and also enter into the Log Books. In fact the said M.W. 2 was promoted from Assistant Engineer to Executive Engineer in December 1978 and in 1982 he was promoted to Senior Executive Engineer post. The Power House of Ramagundam is higher than the Power Houses at Kothagudam and Bellampalli. In the cross-examination he admitted that all the Switch Board Attendants are having I.T.I. Electrical and Wiremen Certificates. He filed at Ex. M-9 to show the job description. In fact Ex. M-9 at page 4 with reference to Switch Board Attendants in Item 15 would show that a qualified Electrician who is an Attendant on the

Compressor plant and maintenance required, pressure of air for the electric circuit breakers and instrumentation by running the Compressor at intervals, and he is required to log-down hourly readings of the Meters on the H.I. Switch gear panels, air compressors readings at the receivers in switch gear room, compressor and also the working hours of the Compressors. It is also required to clean all the machinery and keep the place in a neat, tidy and dust free condition. It is also mentioned that he is required to work in the shift or as a Maintenance Electrician when spared. Therefore the evidence of M.W. 1 and M.W. 2 that they were never used as Maintenance Electricians is not correct. According to him, "is not a policy to promote automatically to Cat. VI on completion of five years service in Cat. V. According to him at the Area level the tests are conducted by the Workshop. According to him in 1979 persons were promoted after conducting the Grade tests and after 1979 no Trade tests were conducted till the date of deposition for promotion to Cat. VI, and he could not say how many posts of Cat. VI are fixed or are available in their Plant as the same has to be done by their Industrial Engineering Department. Ultimately he conceded for promotion to Cat. VI tests are conducted at area level and they have to be done so for the Power House also and no such tests were done by them after 1979. Thus on the ground Grade D and Cat. V are not one and the same it cannot be decided by the Management that there is no comparison and that the Switch Board Attendants were merely reading the current readings. They were insisting for promotion for every year to next category adopted by the Management. All these Switch Board Attendants were promoted to Category V in 1975 and they have completed 9 years. The evidence would show that the Turbine Attendants who were in Cat. V were promoted to Cat. VI in 1981. But these Switch Board Attendants were not promoted to Cat. VI in 1981. Even in the case of Auxillary Turbine Attendants they were promoted to the next higher grade after a period of five years. The Management also conceded that Cat. VI is equivalent to C Grade and Cat. V is equal to D Grade though there is difference in the method of payment and starting the scales. On the basis of Ex. M-9 and the admission of MW 2 that from 1979 no trade test was conducted at the area level for promoting them to higher grade when 8 persons are working from 1974 in Category V for more than nine years by the date of reference when other persons working in Turbine Attendants or Auxillary Attendants were given promotion and when Water Treatment Attendants and Plant Attendants who were in Category III on 1-8-1970 were promoted to Category IV in 1976 and again promoted in August 1981 to Category V. It is indicated that there is promotional policy for every five years. Thus the argument that the Turbine Attendants and Switch Board Attendants are all different and that their duties are different on the ground if a vacancy arises in Turbine Attendants posts, Switch Board Attendants cannot be posted into their duties as their duties are different will not apply the categorisation and standardisation of posts is a demand made by the workers and yet to be done that suggested in the National Coal Wage Agreement 1 and 2. They cannot single out Turbine Attendants and shown special favour. Similarly they cannot show to Auxillary Attendants also a special favour. Ex. M-9 is the job description for 18 MW Power House, Godavari Khani. Even the Turbine Driver is trained and experienced person and he has to attend to running of Turbo alternator set and its auxiliaries. He has to clean and keep the machines upto date. He has no Trade test or qualifications or I.T.I. as a special requisite. He comes under the definition of unskilled workmen originally and he was in Category III on 1-8-1970 and finally he was brought to Category V in 1981. Thus it is not correct to say that the Turbine Attendants and Auxillary Turbine Attendants are different though they are trained in the respective machine operation to which they were attached. Inter-se transfers from one section to another Section is possible in the case of Switch Attendants as they were maintained electrical job also in view of their qualifications and Switch Board Attendants is a qualified electrician whereas Turbine Driver is only a trained person. So when the Switch Board Attendants are H.S.C. and I.T.I. passed and qualified as admitted by MW-2 and when there is no Trade Tests done after 1979 to say that they are not eligible for higher category even after 9 years seems to be without reason and the same is also not based upon consistent policy of the Management and that they were trying to discriminate between the workmen working in the various sections without any reason much less a valid reason and without also categorising and standardising the

posts. As mentioned by WW-1 that there is no fixed time during which they have to work in particular category for their eligibility to the next higher category. When the Management is occasionally giving promotion here and there persons to higher category after a period of five years. It is reasonable to think that they are adopting a policy of promoting these persons to higher category to some of them after a period of five years atleast on the available evidence as discussed supra. I, therefore, hold that all these eight workmen are entitled to Category VI/C Grade namely S/Shri K. Madhavarao, K. Rajareddy, G. Venkateswara Reddy, N. Jiranjanaiah, V. Namasimhalah, N. Chandraiah, K. Gattiah and J. S. R. Murthy in 1981 itself as per available material.

57. Coming to the four plant attendants referred to in Item 2 of the reference for additional increments and also for promotion to Category V. Evidence of WW-1 would show that there is no fixed time during which they have to work for a particular category for eligibility to the next category. It is not shown by the Management also that they have got fixed period or timing for such promotion. But incidents are there when they have promoted the Turbine Attendants and Auxillary Turbine Attendants in 18 MW Power House in Godavari Khani in Category III to Category IV and Category IV to Category V from 1970 onwards. The evidence of WW-2 is also to show such promotions were being given to other sections in the same Power House. WW-3 is the Plant Attendant who was working since 1970. Their duties are to regulate the water in the Power House, they have to operate four motor pumps of 50 H.P. capacity. They are in Ex. M-9 at Serial No. 9 as a trained workman who is engaged in running the water treatment plant to supplying treated water to the Power House cooling plant and he has to perform such other duties called upon him to do so in the case of emergency. He has to watch the working of the plant and machinery and record and report to Chemist or Shift Engineer any abnormalities. According to them the persons working in the Turbine Section and Auxillary Sections are given higher promotion as deposed by WW-1. He maintained that all these Turbine Attendants and Auxillary Attendants, Water Treatment Attendants are given Category III in 1970 and the Water Softner Attendants were given Category IV in 1978. According to him they gave a representation for giving Category IV to them also, and Ex. W-6 is further representation given by them and Ex. W-7 the Company informed that their case was under consideration and they were subsequently given Category IV as per Order dated 4-2-1979. It is marked as Ex. W-8. They made several representations to the Company requesting Category V and he marked Exs. W-9, W-10, W-11 as copies of such representations. The Management rejected their request under Ex. W-12 and again referred the matter to the Grievance Committee under Ex. W-13. According to them their Union represented in this matter as per Ex. W-14. It is their case that the Water Softner Attendant were given Category V in the year 1981 yet these people were not given Category V. Thus they represented under Ex. W-16 to the Management in which they mentioned for promotion Category V and also for additional increments. According to them they are exposed to dust and ash in their duties in the Power House and lot of heat is generated in the Power House where they work. He denied that the duties of Boiler Attendants and Turbine Attendants are different from their duties of the Plant Attendants. On this aspect the Management evidence of MW-1 would show as of follow. It is conceded that the demand of Plant Attendants were not settled under Ex. M-7 Settlement. MW-1 could not deny the suggestion that the Switch Board Attendants and Water Treatment Attendants and Auxillary Turbine Attendants and Plant Attendants were all given Category III on one and the same day and subsequently some of the persons working in these Sections namely Switch Board Attendants, Water Treatment Attendant, Auxillary Turbine Attendants were given higher grades. It is suggested that these Plant Attendants in 18 MW Power House are operating four pumps of 50 H.P. capacity and that they are also working two trained pump of 35 H.P. and they have to go underground of 50 feet deep every half-an-hour. MW-1 could not know the work done by the Pump Driver vis-a-vis Plant Attendants and the nature of the work done by the Auxillary Turbine Attendants. He conceded that they were giving higher categories to certain persons depending upon the experience by passing the Wage Board agreement. Even MW-2 admitted that the work of the Plant Attendants and

Conveyor Khalasis are almost same but Conveyor Khalasis are promoted to Category IV who were getting lesser wages than these Plant Attendants as is shown in the reference itself. MW-2 conceded that the nature of the job for pump Attendant and Plant Attendant are same except to them to work in different places and no qualifications are prescribed and they are given only Training. According to him the Pump Khalasis are required to operate having H.P. Power between 75 to 120 and they have to watch the level of the water tank and river level and they are given Category IV. He could not deny that they were given increments. He conceded that the work done by the Plant Attendants is not inferior to the work done by the Pump Khalasis and there were no Trade Tests conducted after 1979. Thus when Plant Attendants who were in 1976 when Water Treatment Attendants who were given Category IV in 1976 were again given promotion to Category V in August 1981 and when these Plant Attendants are given Category IV in 1979 and when they are operating 50 or 60 H.P. pumps and they are exposed to ash dust and their jobs of removing of the defects in the pump sets. I think there is no reasonable principle by not giving them promotion to Category V to these four Plant Attendants with additional increments when Conveyor Khalasis who were in lesser category than these people were promoted to this Category and given additional increments also. I therefore hold that four plant attendants S/Shri B. Rajaiah, V. Shanker, Shaik Masthan, Abdul Lateef should be given Category V from 1-1-1980 with additional increments. The arguments of the Management that Ex. M-7 Settlement their problem is already ruled and reason given already will apply to this argument. They have not made any categorisation or standardisation of job description and they cannot at their sweet will and pleasure promote certain workmen working in different sections of the same Power House when the workmen are almost in the same category of skilled or unskilled or semiskilled groups while they were being promoted at aperticular point of time.

58. Item 3 of the reference refers to for not granting Category V to S/Shri T. Lakshminarayana, R. Lingaraju, Jacob Bixalu, M.V.S.S.N. Murthy, Ambati Venkati who were working as Auxillary Attendant of 18 MW Power House, Godavari Khani. The evidence of WW-1 would show that he is Auxillary Turbine Attendant at Godavari Khani since 1970 and mentioned the other four also as Auxillary Attendants as mentioned in the reference working there since 1970. According to him the Company promoted M.V.S.S.N. Murthy and Jacob Bixalu by a common order to Category III Auxillary Trainee Attendants as per Ex. W-1 and Ambati Venkati was also promoted to Category III as Auxillary Attendant at the time of their promotion and Sri T. Lakshminarayana is promoted subsequently. He asserted that there is no difference between the Auxillary Attendants working as Auxillary Turbine Attendants, Auxillary Plant Attendants or Auxillary Water Softner Attendants. According to him the Plant Attendants as well as Water Softner Attendants were promoted to Category III in 1970 and the Water Softner Attendants were promoted to Category IV in the same year i.e. in the year 1978 and Auxillary Plant Attendants were promoted to Category IV in 1979. Auxillary Turbine Attendants were promoted to Category IV in the year 1980. According to him their promotions were delayed for about two years from 1978 and there was no reason why they were not promoted along with the Auxillary Water Softner Attendants. Incidentally it is pointed out that the Auxillary Water Softner Attendants were further promoted to Category V in the year 1981 where upon they made a representation under Ex. W-2. According to him they also worked as Turbine Attendants Drivers and Turbine Drivers are put in 'C' Grade and there are no rules regarding the promotion in the Standing Orders of the Company and the promotions are given by the Management at their will and pleasure. Even under Ex. M-9 the Auxillary Turbine Attendants is trained and experienced person who is also running auxillary turbo alternators. He has to clean and keep all the equipments mentioned. He has to perform such other duties to call upon to do so when necessary in case of emergency and maintain necessary records. The Auxillary Attendants at Kothagudem and Bellampally were always below by one category to them as the machinery at Godavari Khani is sophisticated but Kothagudem and Bellampally people were promoted to Category III to Category IV on 1-1-1980. Thus people should have been promoted to Category V which is the next higher grade. If they have not done it by 1-1-1980 atleast they should have been

promoted to Category V in 1981. The Management on the other hand relied upon Clause 21 of Ex. M-7 and said the exchange Water Softner and Turbine Attendants now in Category III will be placed in Category VI with effect from 1-4-1980 and thus Ramagundem people are given Category IV in 1979 when all others were in Category III were tried to rectify by giving Category IV to all. Therefore it is contended that these people should not ask for Category V. When other two power houses people were given Category IV which was enjoyed by these people. But the point remains to be seen that they were working in this category IV in the 1978 year itself and since then they had no promotion and there were instances as seen from the evidence of WW-1 and WW-2, WW-3 and WW-4 that Turbine Attendants Plant Attendants were being given promotion in succession for a period of five years. Thus to show that these people were kept at the same category while promotions to other categories of other Power Houses when these people have put in more than five years service seems to be not proper and the evidence of MW-1 and MW-2 would also show that there is no particular settlement with reference to these persons. MW-1 could not say that Water Treatment Attendants and Turbine Attendants, Auxillary Attendants, Plant Attendants were All given Category III on the one and the same day. When he was not aware of workmen operating two pumps were given one higher category than what they were as per Raghunath Reddy Award, he conceded that bypassing the Wage Board Agreement they were giving higher categories to certain persons depending upon their experience. The experience is nothing but the standing for a number of years in a particular post. MW-2 said that no trade tests were conducted after 1979 for promotion. MW-1 could not say that the post of Auxillary Turbine Attendants, Plant Attendants and Water Softner Attendants were interchangeable. Thus I find that the non-granting of Category V to these five persons who are working as Auxillary Attendants in the light of their duties which are similar to Turbine Attendants and Plant Attendants when others who were working at less Category in other Power Houses were given higher promotion putting them on par with these people without any promotion to these people seems to be unreasonable and therefore I hold that they are entitled to Category V from 1-1-1980.

59. In Item 4 of the reference Sri S. Malleshwarajah who is a Turner, Sri D. Lakshmanaswamy, V. Narayana Reddy, Ch. Ramulu John Bosle, Fitters and B. Prasad and Mallareddy, Welders, Vamana Murthy and Sardarkhan, Electricians claimed for Category V in the said Power House. The evidence of WW-4 and WW-5 would show that they have put in nine years experience in Category V out of total service of 18 years and they are asking for higher category VI. According to him there are vacancies and yet they are not given. He asserted that the promotional policy of the Company to give next higher category for every five years. He admitted that Fitter and Turners are Tradesmen working in the Mines, Workshops, Power Houses. That there is a promotional policy from one Section to other Section. Infact a question was put to him that he was paid category VI allowance for five or six months by providing work as he was adopting non-cooperation. The answer given by him is they were giving Category V wages because of the vacancies due to death of some other worker and not because of any non-cooperation. He asserted that they are all in one category as tradesmen in Power House and Category VI is given to mason of Kothagudem Power House though it is a smaller one. The evidence of WW-4 and WW-5 and other evidence of the workers would show that there were promotions earlier every five years and WW-1 and WW-2 also mentioned to the same effect. Infact the Turbine Attendants were promoted to Category V in 1975 and again to Category VI in 1981 and similarly Plant Attendants who were in Category III in 1970 were promoted to Category IV in 1976 and promoted to Category V in 1981. Thus it is admitted that all these people are working as Fitters, Welders, Electricians and Turners and they are officiating under Ex. M-9. The Fitter is only a qualified person for maintenance and repairs of the Plant and machinery of power House. Items 26 to 28 referred to Turners, Carpenters, Welders and they are shown as persons who are in workshop have no special qualifications as manual labour and they were officiating in higher grade and they were not given any promotion to higher grade. Normally they should be given with the experience of nine years the higher grade as sought for and they are not included in the settlement Ex.

M-7. Therefore the issue is answered in favour of these people that they are entitled for category VI as prayed for.

60. Issues 5, 6 and 7 of the reference. These three persons were working in Category V as Masons, (Bittu Mallah), Paddy Venkati as Carpenter, Sri N. Jagannaraju as Painter. In 1979 as per the evidence of WW-5 P. Venkati was designated as Carpenter and Jagannaraju was working as full time Painter though he is shown in the Store Room for 15 days and as Painter for 15 days and he also mentioned that Bittu Mallah is working as Mason and most of the other persons are given Category VI. MW-2 did not say anything about these three persons who are referred in Items 5, 6 and 7. MW-1 admitted that under the designation of tradesmen the persons who are working as Turners, Fitters, Electricians and Welders are covered and whenever there are vacancies identified Trade tests are held and promotions are given. He also mentioned that Wage Board 1967 recommended Category IV only for Masons and they are all given Category V previously. According to him the Masons were continuing as such in Category V from 15-8-1967 are considered for next placement and higher category as per Item 14 and some of these masons are in Category VI also. He also admitted that P. Venkati is eligible for Category V and on completion of three years as Painter to be posted at Power Houses and thus the very evidence of MW-1 would show that these people who are referred in Items 5, 6 and 7 are duly entitled for promotion to Category VI by virtue of their service and standing and also they were acting as such. Hence I hold that they should be given promotion to Category VI to Mason Bittu Mallah, Category V to Carpenter and Category V to Painter Jagannaraju. Issues 5, 6 and 7 are answered in favour of the workmen.

61. Regarding the demand that there is no proper job description and standard categorisation in respect of different categories of workmen working in 18 MW Power House at Godavari Khani. The Settlement Ex. M-7 itself is clear on the aspect. At page 2 of Item 3 it is mentioned that a Committee will be constituted consisting of six representatives of the Management and the Union to examine the specific issues, if any, having direct bearing on the demands raised in the strike notice. The Committee was expected to go round the other Collieries to study the pattern of work and special conditions, if any, to merit review. It is also mentioned that categorisation/issues already covered by the Awards/Agreements including Sub-Committee constituted under National Coal Wage Agreement 2 would be outside the purview of this Committee. But at the same it is said that the demand of the Union to equate Carpenters, Masons, Tub Repairers, Painters, Punching operators, Sawara Tinkers and Bit Sharpners have to examine by the Committee and the Committee submits its report. Now MW-1 deposed that before the Wage Board there were 10 categories as against six. According to him job description was available to all workers in Power House. But WW-4 mentioned that in spite of the suggestion of the First Wage Board, the Company has not taken up the subject of job description and standard categorisation of the worker in the Power House and that the state of affairs is causing lot of trouble to the workers in the Power House as none of their duties are written down. According to him they were made to work according to the likes and directions of the Management. So he insisted that the Company should lay down proper job description and standard categorisation in respect of the different workmen in the Power House. The Management's contentions that Joint By-partite Committee has to fix job description and therefore they are helpless seems to be not correct. The workers are only seeking for granting grades in classification of these categories. Admittedly there is National Coal Wage Agreement 1 on 1-1-1975 and there is N.C.W.A. 2 which came into force on 1-1-1979 and the third N.C.W.A. 3 came into force on 1-1-1983 and the arguments are taking place after the commencement of N.C.W.A. 3. It is relevant to note that if there is any such job fixation and description for standardisation of these grades, the Management should be in a position to place the same before the Tribunal to show that it will come into force atleast from 1-1-1983 but it was not done so. So the evidence of WW-4 that the workers are made to work in Power House according to the likes and directions of the Management and they did not lay down proper job description and standard categorisation in respect of the different workmen in the Power House seems to be reasonable and the same should be attended to for making all these rosters so as to come into certain categories or grades. Admittedly even as per MW-1 and even as per Ex. M-9 there is no proper gradation

and standardisation with reference to Sweepers, Turners, Carpenters, Welders, Boilers Attendants, Masons Tindals Fitters, Painters, Electricians, Tub Repairers and Turbine Drivers, Auxiliary Attendants, Plant Attendants and so forth. This is a peculiar situation where the non-fixation of proper job description and standard categorisation in respect of different sections of the same Power House into different categories of workmen is causing hardship in Godavari Khani. The Management must take immediate steps for the said fixation of job description and standardisation of categories of these workmen working in the entire Power Houses. Since they fail to do so for the last 15 years.

62. Issue 9.—The workers demanded to pay Dust Allowance to all workers working in 18 MW Power House, Godavari Khani, and Heat Allowance/Thermal Allowance. Workers working at the Boilers of 18 MW Power House, Godavari Khani, and according to WW-4 the workers in Power Houses are not paid Dust Allowance, Heat and Thermal Allowance and that the workers of A.P. Electricity Board are paid Dust Allowance and Thermal Allowance at the rate of Rs. 30.00 per month. When he conceded that the Coal Cutters and Alphine Mining 150 Machines workers are exposed to more dust than the workers in the Power Houses and they are also exposed to heat and they are not paid any dust allowance or thermal allowance. I think that the request for Dust Allowance or Heat Allowance is not based on reason. They cannot compare this with A.P. Electricity Board employees for one or two items with reference to Dust Allowance and Thermal Allowance. It is not their case that they wanted to be equated in all respects. A.P. Electricity Board on the other hand Coal Cutters and Alphine Mining 150 machine workers who are clearly exposed to more dust and heat were not paid allowance and they were only given subsidised rate for wheat products and boiled eggs provided to them. Thus I find that this request is not reasonable. Therefore this item is negatived.

63. Coming to I.D. No. 6 of 1982, it is found that the Water Treatment Attendants working at 18 M.W. Power Houses were in Cat. V from 1st January, 1980. As per Ex. M-8 the Management conceded their demand to implement it from 15th August, 1981. Originally as per the evidence of M.W. 1 the Water Treatment Attendants were fitted in Category III, though there was no specific category in the Wage Board recommendations. The Water Treatment Attendants also made demand along with the other Power Houses workers. In I.D. No. 30 of 1967 their claim was referred for adjudication. When the same was pending the matter was referred for arbitration through arbitrator Sri Raghunath Reddy and award was passed in pursuance of the same by the Tribunal in the same industrial dispute. Though the Union demanded Category IV for these Attendants. The Arbitrator held that Cat. III was justified for them.

64. Again in 1980 all the Unions submitted a charter of demands including a demand on behalf of these Water Treatment Attendants also. They demanded Cat. V for these Water Treatment Attendants. Ex. M-4 is the photostat copy of the demand and Ex. M-5 is the strike notice. A broad settlement was arrived at on 28th January, 1981. Ex. M-6 is the copy of the said Settlement. Ex. M-7 is printed pamphlet by this Association regarding the demand of these Water Treatment Attendants before the said Settlement Ex. M-6 is arrived at.

65. By 1977 only Ramagundam Water Treatment Attendants were given Cat. IV while the Attendants in other two Power Houses remained in Cat. III. Under this Ex. M-6 Settlement, the Attendants in other two power houses were also placed in Cat. IV on par with the Attendants of Ramagundam Power House with effect from 1st April, 1980. According to the Settlement relied upon by the Management, the Union agreed that they should not raise any dispute with reference to this and all their demands which are not referred in the Settlement are due to be withdrawn. M.W. 1 mentioned that these Water Treatment Attendants were making enough representations for placing them in Cat. V and Ex. M-8 is the said representation and they also adopted go-slow tactics and non-cooperation and demanded for Cat. V on 25th September, 1981. Ex. M-9 is the photostat copy of the said representation. M.W. 1 conceded that they gave Cat. V for these Water Treatment Attendants from 15th August, 1981. Thus the Management case that the reference is bad by virtue of the Settlement Ex. M-6 is not correct. In fact, this aspect is clear from the common evidence of M.W. 1. He did not know the nature of the work and duties performed by those

Water Treatment Attendants. He admitted the designs of the Power House of Ramagundam and Power House of Kothagundam are different. He conceded that the earlier recommendation of the Wage Board do not cover the Power House workmen which more so these Water Treatment Attendants. He conceded that whenever the workers make agitation and exhibit non-cooperation the Management is conceding their demands on the basis of trial of strength. Evidently Water Softner Attendants at Ramagundam were given Cat. IV in 1977 while the other Water Softner Attendants in other two Power Houses were in Cat. III and by Ex. M-6 Settlement that brought the other two Power Houses on par with these Water Softner Attendants in Ramagundam. But at the same time, it must be seen that the Ramagundam Power House Water Softner Attendants had no promotion since 1977 from Cat. IV and when they demanded and gave strike notice they were given Cat. V from 15th August, 1981. Though the Union demanded that they should be given Cat. V from 1st January, 1980. Instances of the Management that they should have Cat. V from 15th August, 1981 only had no valid reasons, especially when they were in Cat. IV since 1977 while these people were in bigger power house with a separate design and sophisticated machinery. The evidence of W.W. 1 and W.W. 2 would show that they were given Cat. V to the Water Treatment Attendants from 15th August, 1981 while they demanded the same from 1st January, 1980 with reference to Godavari Khani. In fact, they mentioned number of instances where the management gave a go by to the Settlement under Section 12(3) of the I.D. Act and they entered into a Settlement with various workers with reference to A.M. 5 Machine Operators and also with reference to the individual unions. The point raised by the Management that the other workers who are working as Water Softner Attendants in other Power Houses were brought on par with these Water Softner Attendants and thus these people are not entitled for higher category falls to the ground on their own admission that they conceded their demands for higher category for these Water Treatment Attendants at Godavari Khani from 15th August, 1981. M.W. 2 mentioned that the Water Treatment Attendants operate pumps and there are no other operators employed in the said Section. According to him no qualifications are required for them except the knowledge of reading and writing to be Water Treatment Attendants. According to him there are two sections one is known as Pre-Treatment and other as Treatment Section in the Power House and these Water Treatment Attendants will be working there. Therefore the arguments that these Water Treatment Attendants are entitled for the pay for Cat. V from 15th August, 1981 as conceded by them when the workers demanded from 1st January, 1980. On the basis of the record it seems to be not tenable. The workers are entitled for Cat. V from 1st January, 1980 and the Management had conceded that there is special case for the Water Treatment Attendants at Godavari Khani Power House to be up-graded. Since they are in Cat. IV from 1977 and simply because in the other two Power Houses, Water Treatment Attendants are brought into Cat. IV it cannot be said that they are not entitled for Cat. V from 1st January, 1980. The date fixed by the Management that the Cat. V will be given from 15th August, 1981 seems to be arbitrary and there is no reason for the same having conceded partly about their genuineness of the claim for higher categorisation. They only demanded arrears of wages from 1st January, 1980 till 14th August, 1981 and the same is proper and correct. Ex. M-6 cannot said to be binding on these individual workmen and the Union can take up the individual workers cases under Section 2(k) of the I.D. Act as discussed supra.

66 Thus in I.D. No. 12 of 1982 except with reference to Item No. 9 of the reference all other items 1 to 8 are held in favour of the workmen and with reference to Item No. 9 of I.D. No. 12 of 1982 it is held in favour of the Management and against the workers. In I.D. No. 6 of 1982 it is answered that the Management is not justified in not placing the Water Treatment Attendants in Cat. V from 1st January, 1980 and it is held that they are entitled for arrears of benefit from 1st January, 1980 to 14th August, 1981 on which date they were given Category V. The reference is held in favour of the workmen and against the Management.

67. Common Award is passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 4th day of February, 1985.

Sd/-
(illegible),
INDUSTRIAL TRIBUNAL

APPENDIX OF EVIDENCE I.D. No. 6/82

Witnesses Examined for the Workmen :

- W.W. 1 S. Malleswaraiiah
- W.W. 2 K. Rama Krishna Rao.

Witnesses Examined for the Management :

- M.W. 1 V. Gopala Sastry.
- M.W. 2 V. Venkateshwar Rao.

Documents marked for the Workmen :

- Ex. W1—Joint representation dated 1st March, 1981 made by the 9 workmen to the General Manager, Godavari Khani for promotion of Higher Category.
- Ex. W2—Representation dated 6th March, 1981 made by A. Raghuramulu, Vice-President, Andhra Pradesh Colliery Mazdoor Sangh to the General Manager, Singatani Collieries Company Limited, Godavari Khani regarding the promotion of higher category to the Water Treatment Attendants of 18 M.W. Power House, Godavari Khani.
- Ex. W3—Representation dt. 7-3-81 made by Water Treatment Attendants 8 M.W. Power House, Godavari Khani to the General Manager, S.C. Co. Ltd., Godavari Khani.
- Ex. W4—True Copy of the representation dt. 17-4-81 made by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh to the Asst. Labour Commissioner (C), Government of India, Hyderabad regarding appropriate Vth category to Water Treatment Attendants of 18 M.W. Power House, Godavari Khani.
- Ex. W5—Representation dt. 22-8-1981 made by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh, Godavari Khani to the Asst. Labour Commissioner (C), Government of India, Hyderabad regarding the Additional views of the union.
- Ex. W6—Failure of conciliation report dated 24-8-1981 between the workmen and the Management of S.C. Co. Ltd., Godavari Khani represented by Andhra Pradesh Colliery Mazdoor Sangh (INTUC) regarding alleged illegal non-grant of appropriate category V to 9 Water Treatment Attendants of 18 M.W. Power House, Ramagundam Collieries.
- Ex. W7—Representation dt. 4-11-81 made by A. Raghuramulu Vice President, A.P. Colliery Mazdoor Sangh to the Secretary to Government of India, Ministry of Labour, New Delhi regarding the Conciliation Report under Section 12(4) of the I.D. Act. 1947

Documents marked for the Management :

- Ex. M1—True Copy of the General Notice dt. 30-1-80 given by A. Raghuramulu Vice President, Central Committee for A. P. Colliery Mazdoor Sangh (INTUC), to the General Manager (Co-ordination), S.C. Co. Ltd., Kothagudem Collieries, Kothagudem
- Ex. M2—True copy of the extract of the demands relating to 18 M.W. Power House, Godavari Khani contained in Strike Notice dt. 30-11-80 of A.P. Colliery Mazdoor Sangh.
- Ex. M3—Photostat copy of the representation dt. 25-9-81 made by Water Treatment Attendants of 18 M.W. Power House Godavari Khani to the Divisional Superintendent, Ramagundam Division-II.
- Ex. M4—Photostat copy of the General Strike Notice dt. 30-11-80 on the demand of Workers of Singatani Collieries Company Limited given by A. Raghuramulu Vice President Central Committee for

A.P.O.M.S. (INTUC) to the General Manager (Co-ordination) S.C. Co. Ltd. Kothagudem Collieries Kothagudem.

- Ex. M5—Representation dt. 12-1-81 made by A. Raghuramulu Vice President, A. P. Colliery Mazdoor Sangh, Godavari Khani to the General Manager (CDN), S.C. Co. Ltd., Kothagudem regarding the General Strike Notice on the demands of Workers of S.C. Co. Ltd.
- Ex. M6—True Copy of the Settlement arrived at under Section 12(3) of the Industrial Disputes Act, 1947 between the Management of S.C. Co. Ltd., and their workmen represented by (1) S.C. Workers' Union 2. Tandur Coal Mines Labour Union 3. Singareni Collieries Employees Union and 4. A.P. Colliery Mazdoor Sangh on 29-1-81 at Hyderabad.
- Ex. M7—Appeal given by Andhra Pradesh Colliery Mazdoor Sangh Central Committee (I.N.T.U.C.) to its workers.
- Ex. M8—True copy of the Representation dt. 17-4-81 made by A. Raghuramulu, Vice President, A. P. Colliery Mazdoor Sangh, Godavari Khani to the Assistant Labour Commissioner (C), Government of India, Hyderabad regarding the Appropriate V Ct. to Water Treatment Attendants of 18 M.W. Power House, Godavari Khani.
- Ex. M9—Photostat copy of the representation dt. 25-9-81 made by Water Treatment Attendants of 18 M.W. Power House, to the Divisional Superintendent, Ramagundam Division II.
- Ex. M10—59th Annual Report and Accounts for 1979-80.
- Ex. M11—60th Annual Report and Accounts for 1980-81.

Sd/- (Illegible),
Sd/- Industrial Tribunal

APPENDIX OF EVIDENCE

J.D. No. 12/82

Witness Examined for the Workmen :

- W.W.1 R. Linga Raice.
W.W.2 V. Narasimhaiah
W.W.3 Abdul Lateef
W.W.4 A. Raghuramulu
W.W.5 S. Malleshwariah

Witness Examined for the Management :

- M.W.1 V. Gopala Sastry
M.W.2 V. Venkateswara Rao.

Documents marked for the Workmen :

- Ex. W1—Photostat Copy of the promotion order dt. 18-8-70 issued by the Management to R. Lingaraju, M.V.S.S.N. Murthy and K. Bikshalu.
- Ex. W2—Representation dt. 16-7-81 made by the Auxiliary Turbine Attendants to the General Manager, S.C. Co. Ltd., Ramagundam Division regarding review of work.
- Ex. W3—Photostat copy of the Office Order dt. 22-8-80 issued by the Management to Switch Board Attendants placing them in D. Grade.
- Ex. W4—Photostat copy of the Order dt. 18-1-75 issued by the Management to V. Narasimhaiah 22 and others and posted them to category V from 11-2-74.
- Ex. W5—Representation dt. 7-12-78 made by the General Secretary Singareni Collieries Mazdoor Union to the General Manager, Singareni Collieries Co. Ltd., Godavarikhani, regarding appropriate category IV to the Plant Attenders of 18 M.W. Power House, Ramagundam Division.
- Ex. W6—Copy of the representation dt. 30-12-78 made by Abdul Lateef and 3 others to the Dy Chief Engineer, S.C. Co. Ltd., 18 M.W. Power House,

Ramagundam Division regarding appropriate IV Category to the Plant attendants.

- Ex. W7—Letter dt. 3-1-79 addressed by Dy. Chief Engineer Power House, Ramagundam to Abdul Lateef and 3 others to the Dy. Chief Engineer, was under consideration.
- Ex. W8—Office Order dt. 4-2-79 issued by the Management to Abdul Lateef and 3 others promoted them as Category IV with effect from 1-1-79.
- Ex. W9—Representation dt. 6-8-80 made by Abdul Lateef and 3 others to the Dy. Chief Engineer, Power House, 18 M.W. Godavarikhani regarding appropriate Vth category promotion to Plant Attendants of 18 M.W. Power House, Godavarikhani.
- Ex. W10—Representation dt. 18-8-80 made by Abdul Lateef and 3 others to the Divisional Superintendent, Ramagundam Division-II regarding appropriate Vth Category promotion to Plant Attendants of 18 M.W. Power House Godavari Khani.
- Ex. W11—Representation dt. 24-8-80 made by Abdul Lateef and 3 others, to the Divisional Superintendent, Ramagundam Division-II regarding appropriate Vth Category promotion to Plant Attendants of 18 M.W. Power House, Godavari Khani.
- EE. W12—Letter dt. 8-8-1980 addressed by Dy. Chief Engineer Power House, Ramagundam to Abdul Lateef and 3 others intimating them that they have no claim for any higher category.
- Ex. W13—True Copy of the representation dt. 6-9-80 made by Abdul Lateef and 3 others to the Chairman Grievance Committee, Godavarikhani, regarding appropriate Vth category promotion to Plant Attendants of 18 M.W. Power House, Godavarikhani.
- Ex. W14—Representation dt. 8-9-80 made by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh to the Divisional Superintendent, Ramagundam Division-II, regarding appropriate Vth Category promotion to Plant Attendant of 18 M.W. Power House, Godavarikhani.
- Ex. W15—Representation dt. 28-3-81 made by Abdul Lateef and 3 others to the Dy. Chief Engineer (PH) Ramagundam Division, regarding Vth Category promotion and to pay increments with retrospect effect.
- Ex. W16—Representation dt. 12/16-9-81 made by A. Raghuramulu, Vice President, 14 Andhra Pradesh Colliery Mazdoor Sangh to the Assistant Labour Commissioner (C) Government of India, Hyderabad regarding long pending demands of 18 M.W. Power House S.C. Co. Ltd., Godavarikhani, Ramagundam Division.
- Ex. W17—Representation dt. 7-11-81 made by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh, to the Assistant Labour Commissioner (C), Government of India, Hyderabad, regarding views of the Union in long pending demands of 18 M.W. Power House, S.C. Co. Ltd., Godavari Khani, Ramagundam Division.
- Ex. W18—Views of the Management on the representation dt. 12/14-9-81 from the Vice President, Andhra Pradesh Colliery Mazdoor Sangh, Godavari Khani, regarding 23 demands of 18 M.W. Power House, Ramagundam.
- Ex. W19—Representation dt. 8-1-82 made by all workers of 18 M.W. Power House Godavari Khani, to the General Manager, Singareni Collieries Company Limited, Godavari Khani Ramagundam Division regarding demands of workers of 18 M.W. Power House of S.C. Co. Ltd., Godavari Khani.
- Ex. W20—Strike Notice dt. 12-1-82 issued by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh to the Assistant Labour Commissioner (C), Government of India, Hyderabad.

Ex. W21—Strike Notice dt. 19-1-82 issued by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh, to the Chairman and Managing Director, Singareni Collieries Co. Ltd., Hyderabad.

Ex. W22—Strike Notice dt. 21-1-82 issued by A. Raghuramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh to the Assistant Labour Commissioner (C), Government of India, Hyderabad Camp at Godavarikhani.

Documents filed by the Management

Ex. M1—Photostat Copy of the representation dt. 15-1-79 made by A. Raghuramulu, General Secretary the Singareni Collieries Mazdoor Union to the Divisional Superintendent, Singareni Collieries Co. Ltd., Ramagundam Division-II regarding the charter of demands.

Ex. M2—Photostat copy of the representation dt. 8-1-79 made by A. Raghuramulu, General Secretary the Singareni Collieries Mazdoor Union to the Divisional Superintendent, S.C. Co. Ltd., Ramagundam Division-II regarding appropriate pay scale to the Turbine drivers of 18 M.W. Power House.

Ex. M3—Photostat Copy of the representation dt. 10-1-79 made by A. Raghuramulu, General Secretary of the Singareni Collieries Mazdoor Union to the Divisional Superintendent, S.C. Co. Ltd., Ramagundam Division-II regarding the appropriate IV category to the Boiler workers of 18 M.W. Power House, Godavarikhani.

Ex. M4—Photostat copy of the representation dt. 7-12-78 made by A. Raghuramulu, General Secretary the Singareni Collieries Mazdoor Union to the General Manager, Singareni Collieries Co. Ltd., Godavarikhani regarding the Appropriate Category IV Category to the Plant Attenders of 18 M.W. Power House, Ramagundam Division.

Ex. M5—Photostat copy of the decision of the General Manager.

Ex. M6—True Copy of the Strike Notice dt. 30-11-80 on the demands of workers of Singareni Collieries issued by Vice President, A.P. Colliery Mazdoor Sangh to the General Manager (Coordination) Singareni Collieries Co. Ltd., Kothagudem Collieries, Kothagudem.

Ex. M7—True copy of the Memorandum of Settlement dt. 29-1-1981 under Section 12(3) of the I.D. Act, 1947 between the Management of Singareni Collieries Co. Ltd., and their workmen represented by 1. Singareni Collieries Workers' Union 2. Tandur Coal Mines Labour Union, 3. Singareni Collieries Employees Union and 4. A.P. Colliery Mazdoor Sangh.

Ex. M8—True copy of the letter dt. 22/23-2-1982 addressed by Divisional Superintendent, Ramagundam Division-II to the Asstt. Labour Commissioner (Central) Hyderabad regarding the workers of Power House are increasing the non-cooperation and slowing down the work.

Ex. M9—Job description of 18 M.W. Power Station Godavarikhani.

By consent

Ex. M10—Copy of the General Strike Notice dt. 12-1-81 on the demands of workers of Singareni Collieries issued by A. Raghuramulu Vice President, Andhra Pradesh Mazdoor Sangh to the General Manager (CDN) S.C. Co. Ltd., Kothagudem.

By Consent

Ex. M11—Photostat copy of the Conciliation Proceedings held on 30-12-81 in the I.D. between the Management of Singareni Collieries Co. Ltd., Ramagundam Division-II and their workmen repre-

resented by Andhra Pradesh Colliery Mazdoor over a charter of demands pertaining to 18 M.W. Power House.

J. VENUGOPALA, RAO, Industrial Tribunal

[No. L-21011(15)/81-D.IV(B)]

[No. I-21011(1)/82-D.IV(B)]

का. आ. 1333.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सेंट्रल कोल फील्ड्स लि. की बचरा कोलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-3-85 को प्राप्त हुआ था।

S.O. 1333.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bachra Colliery of Central Coalfields Ltd. and their workmen, which was received by the Central Government on the 15th March, 1985.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 91 of 1984

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Bachra Colliery of Central Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the employers—Shri R. S. Murthy, Advocate
On behalf of the workmen—Shri S. Bose, Secretary R.C.M.S.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 12th March, 1985

AWARD

The Government of India in the Ministry of Labour and Rehabilitation in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-24012(66)/84-D.IV(B) dated the 20th December, 1984.

SCHEDULE

"Whether the action of the management of Bachra Colliery of Central Coalfields Limited, N. K. Area, in terminating services of Shri Somar Mahato, Loader w.e.f. 18-7-82 is justified? If not, to what relief the workman concerned is entitled?"

Soon after the receipt of the order of reference notices were duly served upon the parties. After a few adjournments workmen filed their W. S. and documents etc. Thereafter 21-2-85 was fixed for filing W.S. and documents by the employers. But on that day also the employers did not file their W. S. and documents etc. Then 28-2-85 was fixed for

filling W. S. and documents by the employers. On that day the learned Advocate representing the employers filed before me a memorandum of settlement signed by both the parties. I have gone through the terms of settlement which appears to be fair and proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the memorandum of settlement which forms part of the Award as Annexure.

I. N. SINHA, Presiding Officer.
[No. L-24012(66)/84-D.IV(B)]
S. S. MEHTA, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of Reference No. 91 of 1984

PARTIES :

Employers in relation to the management of Bachra Colliery of Central Coalfields Ltd., P.O. Bachra, District—Hazaribagh.

AND

Their workman

JOINT PETITION OF EMPLOYERS AND WORKMEN

The above mentioned Employers and Workmen most respectfully beg to submit jointly as follows :—

1. That after the failure of the Conciliation proceedings in the dispute referred to this Hon'ble Tribunal for adjudication, both the parties jointly discussed the matter with a view to coming to an amicable and overall settlement.

2. That as a result of the aforesaid discussions, both the parties came to such an amicable and overall settlement on 2-12-1984. A photostat copy of the said settlement is being submitted herewith.

3. That the settlement reached between the Management and the workmen as referred to above has been fully implemented and the workman concerned Sri Somar Mahto has been given employment and he is performing his duties w.e.f. 7-12-1984.

4. That in view of the position as stated above, the dispute referred to the Hon'ble Tribunal fully stands disposed of and it no longer survives.

In view of the facts as stated above, both the parties jointly pray that the Hon'ble Tribunal may be pleased to dispose of the dispute in terms of the joint petition.

Sd/- Illegible
Project Officer Agent
Bachra Colliery.
Central Coalfields Ltd.
For & on behalf of Employer.
Dy. C.M./Project Officer
Bachra

Dated 27th February/1985.

Sd/- Illegible
President,
Rashtriya Colliery Mazdoor Sangh/
Bachra Colliery Branch,
P.O.—Bachra, Distt. Hazaribagh

FORM 'H'

RULE 58 OF INDUSTRIAL DISPUTES (CENTRAL) RULES, 1957

Sort recital of the case :

Shri Somar Mahto loader of Bachra colliery was dismissed from service under letter No. CM/BCH/LM/82/3314 dated 18-7-82 for unauthorised absence from duty for more than 10 days i.e. from 25-4-82 to 17-7-82. Subsequently an industrial dispute was raised by RCMS (INTUC) before the ALC(C), Ranchi which ended in failure and failure report of conciliation was received by the Labour Ministry which was communicated under letter No. L-24012/66/84/D-4/B dated 1-9-1984. The matter was further discussed with RCMS (INTUC) and the following terms of settlement was arrived at.

TERMS OF SETTLEMENT

It is agreed that Sri Somar Mahto will be given employment on compassionate ground but his absence from duty from 25-4-82 to till date will be considered as 'die non' i.e. 'No work No pay'. It is agreed that the workmen or union will not raise/prefer any type of claim regarding back wages etc. before any authority. The issue regarding dismissal of Sri Somar Mahto stands fully and finally settled and resolved.

Representing Management.

S. D. SINGH, Dy. Chief Pers. Manager/NK
[Signature]

Representing RCMS Union.

C. S. DUBEY, Organising Secy. RCMS.
N. K. Area, Dakra.

Copy forwarded to :—

1. The Asst. Labour Commissioner(C), Ranchi.
2. The Chief Personnel Manager, CCL, Ranchi in duplicate with request to kindly send a copy of the same to Labour Ministry for their record. This is in reference to his letter No. PD/ID/75/4891 dated 26/27th Nov. 84.
3. The Project Officer, Bachra.
[No. GM(NK)PO/AC-Employment/84/3902-04
dt. 3-12-84]

नई दिल्ली, 14 मार्च, 1985

का० आ० 1334.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैंगनीज ओर, नागपुर के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 मार्च को प्राप्त हुआ था।

New Delhi, the 14th March, 1985

S.O. 1334.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Manganese Ore (India) Limited, Nagpur and their workmen which was received by the Central Government on the 4th March, 1985.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)
Case No. CGIT/LC(R)/27/1984

PARTIES :

Employers in relation to the Management of Manganese Ore (India) Ltd., Nagpur (M.S.) and their workmen represented through the Rashtriya Manganese Mazdoor Sangh (INTUC), Post Office Tirodi, District Balaghat (M.P.).

APPEARANCES :

For workmen—Shri S. K. Rao, Advocate.
For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Manganese Ore. DISTRICT : Balaghat (M.P.)

AWARD

Dated: February 22, 1985

The Central Government in exercise of its powers under Section 10(1)(d) of the Industrial Dispute Act, 1947, referred the following dispute, for adjudication, vide order No. L-27011(10)/83-D.III(R) dated 8th May, 1984 :—

"Whether the action of the management of Manganese Ore (India) Ltd. in relation to their Tirodi Mine in imposing the penalty of recovery of Rs. 6264 from the wages of Shri Sukham Thakre, Store-

keeper Grade II, for the misconduct of neglect of work is justified? If not, to what relief is the workman concerned entitled?"

2. The workman, Shri Sukhram Thakre was employed as Store-keeper Grade II and at the relevant time was working at Tirodi Mines of the Manganese Ore (India) Ltd. Shri Sukhram Thakre was asked by the management to take delivery from Tirodi Railway Station of a consignment despatched from Calcutta which contained 20 Kgs. of Eyre Pure Tin Flat Solders. On 10-12-1980 Shri Sukhram Thakre went to the Tirodi Railway Station to take delivery of the consignment. He had taken the railway receipt and other documents, and submitted them before the Station Master for the purpose of taking the delivery of the consignment but did not take delivery then and there. He took actual delivery of the consignment at about 4 P.M. on the same day. The consignment, according to the workman, had been weighed at the time of submitting the documents and it was found that it did weigh about 20 Kgs. However, when he had taken the actual delivery at 4 P.M. he did not get it re-weighed. The consignment was admitted to the Store Room on the same day. On 11-12-1980 at about 9 A.M. the consignment was opened by Darbar Singh and he found that it did not contain the necessary material instead it was filled with waste material. Sukhram was therefore, charge-sheeted for neglect of work resulting in loss of Rs. 6264 to the Company. In the departmental enquiry that followed it was found by the Enquiry Officer that the impugned package containing soldering material was brought by Sukhram Thakre at about 4 P.M. on 10-12-1980. On Mazdoor called Panchanan who had gone with Sukhram, unloaded the package but while doing so he had remarked that the concerned package was very light. Thus package was opened by Darbar Singh, Store Helper on 11-12-1980 and he reported that it did not contain the necessary soldering material. The Enquiry Officer found that Sukhram Thakre was negligent in his duties inasmuch as he had not got the consignment weighed at 4 P.M. when he took the actual delivery of the consignment. Sukhram had left the package at the Railway Station godown and had come back to the office and again went to the Station in the afternoon at about 3.30 P.M. and got the package loaded in the truck without having it reweighed before taking the actual delivery. By his negligence the Company suffered a loss of Rs. 6264. On these findings Sukhram Thakre was held guilty of negligence and was asked to reimburse the loss to the company. An order was issued that Rs. 100 p.m. should be deducted from his salary towards loss to the Company and this should be continued to be deducted till the entire loss was wiped out.

3. It is contended that the management had no power or authority under the Standing Orders applicable to direct the realisation of loss to the Company. This contention has no force as under the terms of contract of service there is an implied term of agreement, that the workman shall discharge his duties in a manner most beneficial to the company and if there is any loss which is attributable to his negligence he must reimburse the same. There is nothing in the Standing Orders as militates against this principle. Under the Standing Order Cl. 38 fines may be imposed and deductions from the salary may be made in accordance with the provisions contained under the Payment of Wages Act. It would be seen that fines stand on different footing than reimbursement for the loss consequent on the negligence of the employee. However, this clause authorises the management to recover the monies from the salary in accordance with the provisions contained in the Payment of Wages Act.

4. I have gone through the enquiry proceedings and do not find anything in the enquiry as could be challenged on the ground that it was in violation of principles of natural justice. On the contrary, it has been proved by the five witnesses examined in the enquiry that the consignment when it was deposited in the Store-Room was light. In fact, one of the workers who had accompanied the delinquent officer remarked that the parcel was very light and he had brought it with one hand. The evidence clearly establishes that when the consignment had been kept in the Store Room it did not contain the necessary soldering material which was weigh-

ing near about 20 Kgs. Therefore the question that calls for consideration in this case is whether the management was justified in asking the delinquent officer to reimburse the amount of loss to the Company, as the loss was as a direct result of his actions.

5. The first thing, however, that has to be seen in this case is whether Sukhram Thakre was negligent. Negligence postulates a duty to care which was not taken in the discharge of his duties. When he had first gone in the morning on 10-12-1980 he had got the consignment weighed and found that it was correct. He could not take the actual delivery of the consignment at that time and therefore came to the office to fetch a conveyance. Ordinarily he must have been under the impression that the consignment that he was to take would not be pilfered at the Railway Station and it is on this faith that he had taken the actual delivery of that consignment at 4 P.M. without getting it re-weighed. Had he got it weighed again at 4 P.M. at the Railway Station he could have fixed the responsibility with the Railway people and could have made the necessary report. Now his act of taking delivery without taking this precaution could not at once be said to be an act of negligence. There were no instructions of any sort to indicate what form of procedure or what precautions he should have observed before taking the delivery. That being the case, it is more a case of inefficiency resulting into loss rather than negligence. A negligence would be when the workman was conscious of his duties and had neglected to perform them with due care. There is no evidence before me to indicate that it was the duty of Sukhram Thakre to release parcels from the Railway Station. There is no finding to that effect that he had been habitually doing so. There are no instructions how this type of work is to be performed. Therefore if this was his first chance to release the consignment this merely reflects on his efficiency.

6. Clause 29-B of the Standing Orders enumerates numerous misconducts. It begins by saying that without prejudice to the general meaning of term 'misconduct' the following acts and omissions shall be treated as major misconducts. Item No. 8 says that neglect of work would be major misconduct. It is true that the performance of the duty entrusted to Sukhram Thakre was for releasing a parcel containing soldering material from the Station. The duty was performed in a manner as directly resulted in a loss of about Rs. 6,000 to the Company. But that is not saying that it was by his negligence. In my opinion, this was by the lack of knowledge of what he should have really done and was mostly a result of inefficiency and lack of experience.

7. I have stated above that the management ought to be reimbursed, under the implied terms of contract, the loss due to the performance of duty in an unworkman like manner. It is on these principles the loss to the company could be ordered to be reimbursed by a workman. In the peculiar circumstances of the case, I think if would be a little severe on the workman to have the entire loss recovered from him. I would, therefore, direct that Rs. 3000/- be recovered from him by deduction of Rs. 100/- per month and rest of loss may be suffered by the Company. This I direct on the ground that there is no evidence that this man had been doing the job of releasing parcels and therefore it was very likely that he may be led to believe in the honesty of the Store Keepers at the Railway Godowns.

ORDER

I, therefore, order that the order against Shri Sukhram Thakre to reimburse the entire loss of the consignment be modified and it is directed that Shri Sukhram Thakre should be directed to reimburse Rs. 3000/- only by deduction of Rs. 100/- p.m. from his salary. There shall be no order as costs.

K.K. DUBE, Presiding Officer.
[No. L-27011(10)/83-D.III(B)]

नई दिल्ली, 15, 1985

का. भा. 1335—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार, ट्रावन्को टिटानियम प्रोडक्ट्स लि० के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक आधिकरण, ट्रिवनेद्रम के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार को 12 मार्च, 85 को प्राप्त हुआ था।

New Delhi, the 15th March, 1985

S.O. 1335.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Shri M. P. Narayanan Menon, Retired Joint Labour Commissioner, Travandrum and Arbitrator in the industrial disputes between the Travancore Titanium Products Ltd. and their workmen represented by :

1. Titanium Production Department Employees Union
2. Titanium Products Thozhilali Union.
3. Titanium General Labourers' Union.
4. Titanium Products Labour Union.
5. Titanium Workers' Union.
6. TTP Employees' Union.
7. Titanium Employees' Organisation.
8. Titanium Employees' Federation.
9. Titanium Products Employees' Union.

which was received by the Central Government on the 12th March, 1985.

AWARD

An Industrial Dispute arose between the Management of Travancore Titanium Products Ltd., Travandrum (hereinafter referred to as "The Company") and their workmen represented by the following Unions functioning in the Company, regarding revision of Subordinate Service Rules applicable to employees in the Subordinate Services of the Company :

1. Titanium Production Department Employees' Union.
2. Titanium Products Thozhilali Union.
3. Titanium General Labourers' Union
4. Titanium Products Labour Union
5. Titanium Workers' Union
6. TTP Employees' Union
7. Titanium Employees Organisation
8. Titanium Employees Federation
9. Titanium Products Employees' Union

The Management of the Company brought into force a set of Subordinate Service Rules from 1977. The Unions raised disputes over various provisions in these Rules and demanded changes in these Rules. Thereupon, the Management drafted a revised set of Rules and circulated it among the Unions. They also held protracted discussions with the Unions, with a view to bring out a set of Subordinate Service Rules acceptable to both the Management and the Unions. Though these discussions dragged through the next few years, the parties could not bring out a set of Rules acceptable to all concerned. Thereupon, at the discussions held on 9-11-1983, the parties finally agreed to refer the whole question of revision of Subordinate Service Rules to my Arbitration, under section 10A of the Industrial Disputes Act, 1947. They accordingly signed an agreement in Form 'C' prescribed under Rule 7, of the Industrial Disputes Central Rules, 1957 and forwarded it to the Government of India, the appropriate Government in respect of the Company under the Industrial Disputes Act, for publication in the Gazette of India as required under the Industrial Disputes Act, 1947. The Government of India, Ministry of Labour, in their Notification No. L-29013/1/84-D.III (B) dated 12th April, 1984, published the Agreement in the Gazette of India, in accordance with Sub-section (3) of the Section 10A of the Industrial Disputes Act, 1947. The Government of India's endorsement forwarding the Notification was received by me on 5-5-1984. The Subordinate Service Rules in force from 1977 as well as the draft of the revised Rules prepared and circulated by the Management to the Unions were also forwarded to me, as Annexure A and B to the Government of India's Notification cited above.

2. According to Clause 4 of the Agreement referring the dispute for arbitration under Section 10A of the Industrial Disputes Act, my award is to be given within 3 months, or within such time as extended by mutual agreement between the parties in writing. The time limit for giving the Award was further extended by mutual agreement between the parties, in writing, upto 12th March, 1985.

3. Notice was issued to the parties to the dispute on 9-5-1985, requesting them to appear for a preliminary hearing on 17-5-1985. At the preliminary hearing held on 17-5-1985, the procedure proposed to be adopted by me for conducting the Arbitration Proceedings was explained to the Parties. At this hearing, the Management stated that the revised draft prepared by them and circulated to the Unions was itself prepared a long time back and that many of the provisions in this draft, in their opinion, required further modification. They therefore sought permission to file a fresh draft Rules in place of the draft in Annexure B of the Government of India Notification, for consideration. The Unions did not raise any objection to the Management's request to file fresh draft Rules. They wanted an opportunity to file their objections to the fresh draft sought to be filed by the Management. The Management were thereupon requested to file their fresh proposals, with copies to the Unions, before 2-6-1984. The Unions were also requested to file their objection statements before 30-6-1984, after receipt of the Management's proposals. After the Management and the Unions filed their proposals and counterproposals as stated above, hearing of these proposals and counterproposals was commenced on 6-8-1984. Hearing was continued on several dates thereafter, till 4-1-1985, when hearing was completed.

4. No witnesses were examined by the Management or any of the Unions. The following documents were filed by the parties as exhibits :

Exhibits filed by Management :

- M-1—Circular dated 23-1-1984 regarding dying in harness scheme.
- M-2—Memorandum of Settlement dated 9-5-1977.
- M-3—Memorandum of Settlement dated 31-12-1981.
- M-4—Sanctioned Strength of various posts in the Subordinate Services as on 1-1-1984.
- M-5—Memorandum of settlement dated 6-12-1982.
- M-6—Copy of Government, Industries (J) Department circular No. 43088/J3/83/ID dated 23-1-1984.
- M-7—Copy of Managing Director's Circular No. 69/73 dated 18-2-1973 regarding reference of posts to Public Service Commission.
- M-8—Certified Standing Orders of the Company.

Exhibits filed by Unions :

- W-1—Copy of Management's advertisement dated 21-3-1973 for certain posts.
- W-2—Copy of Kerala Public Service Commission letter No. AIII (i) 4127/82/CW dated 22-12-1983.
- W-3—Copy of Certificate No. C3/21538/80 dated 10-7-1980 issued by the Department of Industrial Training.
- W-4—Copy of letter No. D1.15971/84 dated 27-6-1982 from the Director of Factories and Boilers.
- W-5—Copy of letter No. PL/D/PER/W/83 dated 14-12-1983 of the Deputy Manager (Personnel and Administration).
- W-6—Copy of Circular No. C3/15904/81 dated 27-4-1981 of the Joint Director of Training.
- W-7—Copy of letter AIW/32886/83/LDC dated 30-7-1983 from the Director of Technical Education.

5. The revised draft Rules submitted for consideration by the Management were taken up for consideration, clause by clause. Each Clause in the draft was discussed with the Management and the Unions, during the hearing, and their arguments heard. A complete set of Rules revised and prepared after careful consideration of the Management's

proposals, written objections filed by the Unions, the discussions held, and the arguments put forth by the parties, is appended to this award.

6. Travancore Titanium Products Ltd., is an undertaking in the Public Sector, controlled by the Government of Kerala. As such general rules and procedures laid down by the Government for administration of Public Sector undertakings have to be followed by this company also. Policies laid down by Government and applicable to all public sector undertakings apply to this company also. The general rules regarding consultation with Public Service Commission in the matter of recruitment and promotions, in force from time to time, have also to be observed. I have taken into consideration all these constraints while revising the Subordinate Service Rules as given in the Appendix. The provisions in the certified standing orders as well as agreements in force have also been taken into consideration.

7. Some of the counter-proposals of the unions involved creation of new posts or additional posts. The matter referred to my arbitration is revision of the Subordinate Service Rules—which implies revision of rules relating to the posts now in existence in the Company. Creation of new posts or increasing the cadre strength of existing categories is clearly not within the scope of my arbitration, and hence suggestions of Unions involving creation of new posts or increasing the cadre strength of existing posts have been rejected while revising the Subordinate Service Rules. It shall however be open to the Unions to press their demands for creation of new posts or additional posts, through collective bargaining, while negotiating the next long-term agreement, or at any other appropriate forum. If and when any new posts are created in future, such new posts shall also be added to schedule I in the revised rules. Rules regarding appointment/promotion to such new posts shall also have to be formulated and added to Schedule III of the revised rules.

8. The revised rules appended to this award shall come into force immediately on expiry of 30 days from the date of publication of this award in the Gazette of India, under Section 17 of the Industrial Disputes Act, 1947. These revised Rules shall supersede the existing Subordinate Service Rules now in force. The revised rules shall not however have the effect of nullifying any action taken under the existing rules prior to the coming into force of these revised rules.

Trivandrum,

Dated : 3rd March, 1985.

M. P. NARAYANA MENON, Arbitrator

APPENDIX

Travancore Titanium Products Ltd.

Subordinate Service Rules

PRELIMINARY

1. These rules shall be known as the 'Travancore Titanium Products Subordinate Service Rules'.

2. The Management may amend, alter or abrogate these rules as and when deemed necessary or expedient, after consultation with the Unions.

3. In the event of any dispute regarding the interpretation of any of the provisions of these rules, the decision of the Managing Director shall be final, provided, however, that the Managing Director shall hear the parties concerned before giving his decision.

4. These Subordinate Service rules are in supersession of the Subordinate Service Rules in force prior to the introduction of these rules, and all previous agreements relating to service conditions of employees covered under these rules.

5. These rules shall be applicable to all employees in the subordinate service of the company listed in Schedule I to these rules. Any new post subsequently created in the Subordinate service shall also be added to Schedule I and these rules shall apply to such new posts also.

DEFINITIONS

6. In these rules, unless there is anything repugnant in the subject or context.

(a) "Company" means Travancore Titanium Products Ltd.;

(b) "Managing Director" also means the Chief Executive of the Company for the time being appointed;

(c) "Management" means the Managing Director or any other officer of the company authorised by the Managing Director to exercise powers vested in the Managing Director;

(d) "Rules" means Subordinate Service Rules of the Co.;

(e) "Service" means the total years of service put in by an employee in the Company, unless otherwise specified;

(f) "Standing Orders" means the Certified Standing Orders applicable to employees of the Company under the Industrial Employment (Standing Orders) Act.

CHAPTER I

APPOINTMENTS AND PROMOTIONS

7. No person shall be appointed to a post in the Subordinate Service unless he possesses the qualifications prescribed in Schedule III to these Rules.

8. Initial appointment to a post in the Subordinate Service shall be made by :—

(a) Promotion from the feeder category, or

(b) When eligible candidates are not available for appointment by promotion from the feeder category as laid down in Chapter VI of these Rules, by transfer from other Departments in accordance with the provisions laid down in Chapter IV, or

(c) If no eligible candidate is available for appointment by transfer also, by direct recruitment. While resorting to direct recruitment, the rules and procedures, if any laid down by the Government, and the rules and directives of Government relating to direct recruitment, shall also be followed.

9. Any person appointed to the service of the company shall be a citizen of India, should have completed 18 years of age at the time of recruitment and should be of sound physical and mental health as certified by a medical officer not below the rank of an Assistant Surgeon. The maximum age limit for initial appointment shall be 35 years, with usual age relaxation admissible for Scheduled Castes/Scheduled Tribes/Ex-servicemen, other backward communities etc., as notified by Government from time to time.

10. Any person selected for appointment shall undergo training and probation for such periods and on such terms and conditions as the company may stipulate. A trainee, on satisfactory completion of training, and subject to the existence of a vacancy, may be absorbed in a regular cadre and placed under probation. The period of training will not be counted as permanent service; provided however, that those who were appointed as trainees during 1973 and 1974 will be allowed to count their period of training as permanent service for purposes of promotion and total service in the Company. The seniority of such trainees as fixed in the Gradation List published on 15-5-1978 shall remain unchanged.

11. The probation of a probationer to any post is liable either to be extended or to be terminated by the Management, if his work and conduct are not found satisfactory. If such probationer was appointed by transfer from some other post or appointed by promotion from a feeder-post, he is liable to be reverted to his previous post, without assigning any reasons. A probationer will be confirmed in the post on satisfactory completion of his probation. In case orders confirming a probationer is not issued within a month from the date of completion of probation, it will be presumed that the employee has completed his probation satisfactorily.

12. Where a post is to be filled up by promotion, it shall be done in accordance with the criteria laid down in Chapter VI.

13. Promotion from unskilled to skilled categories will be on the basis of tests prescribed, and such tests shall be conducted by the Head of the Department or his nominee.

14. The retirement age of an employee will be as per clause 12 of the Standing Orders. The date of retirement will be the last day of the month in which he attains the age of superannuation.

CHAPTER II

POSTS AND PAY

GENERAL

15. The number of posts in each class, grade or category shall be fixed by the Management, and published on the notice board for information of employees.

16. An employee is said to be appointed permanently to a post when he is confirmed in that post.

17. Only one person can be appointed permanently against one permanent post at a time.

18. A temporary post is one which is sanctioned for a specific period for a specific purpose and a person appointed to such a post shall be referred to as a 'Temporary Employee'.

19. A person is said to act in a post when he is appointed to a post in which there is no incumbent or the incumbent of which is on leave temporarily for any reason.

20. A person holding a permanent post, who is posted in an acting capacity to a higher post or is on deputation to another post, shall retain his claim in his permanent post and shall revert to such permanent post on expiry of his acting or deputation period.

TRANSFERS

21. Employees are liable to be transferred from one post to another in the same scale of pay, in the interests of the company, subject to the condition that a person so transferred shall be eligible for any promotion or revision of salary he would have been eligible for but for his transfer, and subject also to the conditions laid down in Rule 60 in Chapter V.

Transfers on personal request will be considered only on medical grounds on recommendation by the Medical Board constituted for such purpose, subject to availability of a suitable post for accommodating such an employee. An employee so transferred will forfeit his lien and other rights in the permanent post which he held and will be placed as the junior-most in the department to which he is transferred.

COMMENCEMENT OF SERVICE

22. The service of an employee shall commence from the date on which he assumes charge of a post and shall cease on the date on which he relinquishes charge. He will be entitled to draw pay and allowances from the date on which he assumes charge to the date on which he relinquishes charge.

PAY

23. The pay of a person appointed to a post shall be fixed by an order of a competent authority.

24. The initial pay of a person appointed to a post either temporarily or permanently through direct recruitment, shall normally be fixed at the minimum of the scale sanctioned for the post. The Managing Director may, however, in case of candidates possessing special qualifications or experience likely to enhance his usefulness to the company, sanction a higher initial pay.

25. The pay of an employee promoted from a lower post to a higher post will be fixed as follows, in the higher post to which he is promoted :—

(i) If any increment is due to him in the lower post on the date of his promotion, such increment will be added to his pay in the lower post;

(ii) A further increment will be added to such pay in the lower post;

(iii) If the pay so arrived at coincides with a stage in the scale of pay for the higher post, his pay in the higher post will be fixed at that stage. If however the pay fixed as per (i) & (ii) above is not a stage in the scale of pay for the higher post, his pay in the higher post will be fixed at the next higher stage.

26. A person transferred from one post to another in the same scale of pay under rule 21 shall continue to draw the pay he was drawing in the previous post and he will also earn subsequent increments as if he had continued in the previous post.

SUBSTITUTE ARRANGEMENTS

27. A post falling vacant may be filled up in the following manner :

(a) A permanent vacancy may be filled up by (i) promotion from among eligible candidates or (ii) in the absence of eligible candidates, by appointment by transfer, or (iii) by direct recruitment in accordance with the procedure fixed for such appointment.

(b) If the vacancy is not of a permanent nature either a person in a lower category may be appointed to act in such vacancy, or a person in a lower category or the same category may be put in additional charge of the vacant post, as the Management deems fit. Chain acting arrangements in the post will however be avoided.

28. A panel of senior employees of the various sections/shifts shall be prepared and maintained by the Personnel Department in consultation with the Heads of Departments concerned, for the purpose of appointing employees to act in higher posts. Only employees whose names are included in this panel will be eligible to be appointed to act in a higher post. This panel shall be reviewed and revised once a year or as and when considered necessary by the Company.

29. A person who is appointed to act in a higher post, except those working in the Administrative Department, shall be entitled to one-fifth of his basic pay in addition to his basic pay in his original post.

30. A person working in the Administrative Department, if appointed to act in a higher post or put in additional charge of any other post shall be entitled to one-fifth of his basic pay in addition to his pay in the original post, as charge allowance, provided the duration of the vacancy is more than 14 working days.

30A. Whenever an employee is put in additional charge of another post, the Head of the Department concerned will intimate the fact to the Personnel Department, furnishing full details including the duration of the charge arrangement. Final orders sanctioning charge allowance will be issued from the Personnel Department after verification of eligibility, duration etc.

31. Acting/charge allowance shall not be drawn for more than six months continuously. The fact that a person has acted in a higher post or that he has held additional charge of a higher post will not confer on him any claim for promotion to a higher post.

32. Acting/additional charge arrangement in permanent vacancies shall not be continued for more than six months.

INCREMENT

33. Increments will be granted every year, in accordance with the provisions in the Standing Orders. Normally, an increment falling due on any day of a month will be paid from the first of that month.

34. An increment shall be withheld only by a written order of a competent authority. The order withholding an increment shall specify the period for which it is withheld.

35. An employee promoted to a higher post will be granted an increment in the lower post before fitting in the higher post as laid down in Rule 25. His next increment in the higher post will fall due on the date on which his incre-

ment would have fallen due in the lower post but for his promotion.

36. Periods of long leave sanctioned to employees for accepting jobs abroad/study leave or absence of similar nature will not count as service for purposes of any service benefits/increments during the course of and for the entire duration of their leave on loss of pay.

CHAPTER III

LEAVE RULES

37. Leave of absence will be granted to employees in accordance with the provisions of the certified standing orders.

A. ACCIDENT LEAVE :

38. If an employee covered under the E.S.I. meets with an accident, he will be paid an amount equal to his pay less the amount received by him from the E.S.I. subject to the production of Medical Certificate and benefit slip from the E.S.I.

NOTE.—Accident leave with full wages will be sanctioned to employees who are involved in accidents while on duty even for periods of 2 days or less where ESI benefits are not available, on production of ESI Certificate.

39. If an employee not covered by ESI meets with an accident while on duty, he will be eligible for accident leave with pay on production of valid medical certificate, and subject to the following conditions :

- (a) All accidents which occur while on duty should be promptly reported to the Medical Officer. In cases requiring abstention from duty, employees should procure an initial certificate from the Medical Institution/Medical attendant under whom the employee undergoes treatment, specifying the nature of injury sustained and the probable period of abstention required. The duration of the likely absence should be intimated to the Medical Officer in the proforma available in the Medical Office/time office, within 48 hours.
- (b) If the absence exceeds three weeks from the date of the accident, the employee shall immediately get in touch with the company medical officer who may conduct a personal examination to assess the requirement of the leave.
- (c) Any medical certificate produced by an employee under this rule will have to be recommended by the company Medical Officer before leave is sanctioned.

40. (a) Leave due to accidents while on duty will be regularised by the Personnel Department.

(b) The concerned Department shall intimate the personnel Department details of every accident that has occurred in the Department immediately, by forwarding an accident report furnishing all relevant details, under copy to Safety Section. An office copy of the accident report shall be retained by the Head of the Department concerned.

(c) The employee availing leave on grounds of accident shall write to the concerned Head of the Department regarding the leave to be availed as recommended by the Company Medical Officer. The Head of the Department will forward the letter to the Personnel Office, through the Time Office in the case of employees who punch time cards and directly to the Personnel Office in other cases.

(d) An employee covered by E.S.I. while resuming duty, shall submit his application for leave due to accident to the Personnel Department along with the Medical Certificate and Benefit slip received from the ESI. In the case of others, valid Medical Certificate duly recommended by the Company Medical Officer along with leave application should be submitted to the Personnel Department.

(e) The Personnel Department will take suitable action on the application and intimate the decision to the concerned Head of Department, SFC, Time Office, Safety section and the employee concerned.

41. Special Leave.—(a) A worker, who is covered by ESI, suffering from contagious diseases like Chicken-pox, mump, rabi and infective hepatitis will be allowed special leave for a maximum period of 16 days in a calendar year provided the worker produces a medical certificate from the ESI Doctor.

(b) In the case of workers not covered by ESI, a certificate from a Medical Officer not below the rank of an Assistant Surgeon should be produced for granting such leave. The employee shall also send an initial certificate from the medical institution/medical attendant under whom he undergoes treatment and the probable period of absence required, along with a proforma/intimation regarding absence, to the Company Medical Officer, within 48 hours of the onset of the disease. Leave shall be granted only on the recommendation of the Company Medical Officer.

(c) Employees afflicted with contagious diseases viz., Mumps and infective hepatitis should inform the Company Medical Officer immediately on the onset of the disease. Medical Certificate issued by other doctors will be accepted only if recommended by the Company Medical Officer. Employees afflicted with chicken-pox should produce a certificate to that effect from the Corporation Health Officer or Medical Officer, contagious diseases hospital or Primary Health Centre, with an endorsement from the Company Medical Officer.

(d) Employees afflicted with infective hepatitis should produce a Liver Function Test Result also from the Public Health Laboratory, Trivandrum.

(e) In case of Rabies, the employee should produce a medical certificate from the Public Health Laboratory.

42. Employees or their spouses undergoing sterilisation surgery will be granted Special Casual Leave at the rates and in the manner stipulated as per Government Orders in force from time to time.

43. Probationers will be eligible for proportionate Sick Leave and Casual Leave in every month. They will become eligible to avail proportionate Annual leave only after confirmation.

ENCASHMENT OF LEAVE

44. Employees will be entitled to encash the leave that has accrued to their credit and which has not been availed, as provided for hereunder. The part of the leave for which cash payment has been received will be treated as leave surrendered, and debited to their leave account as such.

45. Leave to the credit of an employee on the last day of any calendar year, in excess of thirty days, can be encashed by the employee on his request. Leave salary payable for such surrender of leave shall be at the rate of the basic wage for December of that year. The maximum limit of annual leave that can be accumulated to the credit of an employee shall be 90 days.

46. Casual leave and sick leave not availed of during the year can also be encashed. Such encashment will be permissible once in a year, either in January or April, on the basis of the wages received for the month of December in the previous year.

47. In the event of retirement, death, resignation, discharge or voluntary retirement, the employee concerned shall be entitled to encash the leave to his credit as on the date of his retirement, death etc., subject to the following :—

(i) In the event of retirement, the annual leave to his credit as on the date of retirement as well as proportionate casual leave and sick leave upto that date reduced by the number of days of each kind of leave availed during the year.

(ii) In the event of death annual leave, casual leave and sick leave to the same extent as in sub-rule

(1) above, provided, however, that the amount will be payable to any person nominated for the purpose by the employee, or in the absence of such nomination, to the legal heir.

- (iii) In the event of an employee's resignation/discharge from service, the entire leave to his credit as on the date of his resignation/discharge and proportionate casual leave and sick leave to the same extent as in Sub-rule (1) above.

COMPENSATORY LEAVE

48. If the weekly off day of an employee falls on a Festival Holiday, he will be granted another day as compensatory off in lieu of the Festival Holiday and such compensatory off shall be availed of within the succeeding 90 days.

49. In case an employee works on a weekly off day which falls on a Festival Holiday, he shall be entitled for one additional wages, with a compensatory off which may be availed of within 90 days.

CHAPTER IV

APPOINTMENT BY TRANSFER

50. Appointment by transfer will be resorted to for filling up vacancies, whenever there are no candidates qualified for being promoted from the feeder category.

51. Employees undergoing initial probation are not eligible for being considered for appointment by transfer.

52. The qualifications and other requirements for appointments by transfer shall be the same as prescribed for direct recruitment.

53. There shall be a committee for selection of candidates for appointment by transfer for each Department, consisting of the following members:

- (i) Head of the Department concerned.
- (ii) Manager (Personnel and Administration) who shall be Convenor. Where the Manager (Personnel and Administration) is himself the Head of the Department, the second member will be nominated by the Managing Director.
- (iii) Another member nominated by the Managing Director.

54. The selection committee may conduct such oral and/or written/practical tests as they may consider necessary to assess the suitability of the candidates, and selection shall be made on the basis of the results of such tests and the marks obtained at the interview.

55. The list of candidates selected shall be prepared by the Convenor of the Committee in the order of merit and submitted to the Managing Director for approval. The list approved by the Managing Director which shall be final, will be published.

56. The past service of the employee so selected will be protected, but he will be the junior-most in the newly selected post.

56. The list approved by the Managing Director will be valid for one year, but on an employee/employees in the feeder category of the same department becoming eligible for promotion to the post, such employee/employees will have precedence over the employee ranked in the approved list in the matter of promotion to the vacancies since arising. The period of validity of the approved list shall however remain unaffected by such promotions, and will continue to operate for one year from the date of publication of the approved list.

58. These rules will not apply to posts for which recruitment is to be made through Public Service Commission.

CHAPTER V

PROMOTION AND MAINTENANCE OF SERVICE RECORDS, PROMOTION

56. The past service of the employee so selected will be post in the Department.

60. An employee permanently borne in a cadre of the Department and transferred to another Department will be eligible for consideration for promotion in vacancies arising in the former Department provided:

- (i) The transfer was made in the interests of the Company by the Management, and person has not completed 2 years in the Department to which he is transferred.
- (ii) The transfer was not on grounds of unsuitability or medical unfitness.
- (iii) The employee satisfies the criteria fixed for promotion.

61. An employee who is offered a promotion to a post, but who refuses to accept it, will forfeit all claims for future promotions.

62. An employee who has failed in the test given for promotion will not be considered for promotion again until after the expiry of six months from the date of the test.

62. An employee who has failed in the test given for on three consecutive occasions shall forfeit his claim for promotion once for all, for the post.

UPGRADATION

64. Employees who have remained in the same grade for 9 years will be placed in the next higher grade in the Subordinate Service of the company, subject to the following:

- (i) Employees who refuse to accept promotion and employees who have availed themselves of leave on loss of pay for an average of 50 days per year (excluding leave on loss of pay due to employment accident) during the three previous calendar years will be entitled for placement in the next higher grade only on completion of 10 years.
- (ii) An employee will not be entitled to the benefit of upgradation during the operation of punishment.
- (iii) An employee will be entitled to the benefit of upgradation only once in the course of his service in the Company.
- (iv) The pay of an employee, on upgradation, will be fixed in the higher grade in the same manner as laid down in Rule 25. But he will not be entitled for further fixation benefit in the same grade if he is subsequently promoted to a post in the same grade.
- (v) An employee upgraded as per this rule shall continue to do the same job as in the lower grade. There will be no change in designation also.

PROMOTION COMMITTEE

65. A promotion committee will be constituted by the Management, consisting of the Head of the Department in which the vacancy arises, Manager (Personnel & Administration) and such other members as may be nominated by the Managing Director, as and when deemed necessary. In the case of promotion in a Department where the Manager (Personnel & Administration) is himself the Head of the Department, the Promotion Committee will consist of the Manager (Personnel & Administration) and any other officers/members as nominated by the Managing Director. The Committee's decision in the matter of selection for promotion shall be final and promotions will be effected in accordance with the decisions of the Committee, by the Manager (Personnel & Administration). The Managing Director shall be the appellate authority to deal with appeals against any order issued by the Manager (Personnel & Administration) on the basis of the recommendations of the Promotion Committee. A representative of the Works Committee representing the Department in which the Promotion is conducted will be nominated as the employees' representative in the Committee as an observer. The observer will be permitted to examine any files, records etc., relevant to the promotion which is being considered by the committee.

66. For the purpose of ascertaining eligibility for promotion and for reckoning other service benefits, the Company

shall maintain the following records pertaining to all employees in its service :

- i. Gradation List
- ii. Confidential reports
- iii. Personal Files
- iv. Personal Data Cards

67. Personal Data Cards shall be maintained in respect of all employees in the service of the Company. Personal Files shall contain the full history of the service of the employees and give a connected account of the changes in the appointment, emoluments, etc. Copies of orders relating to these matters shall be filed in the Personal File in chronological order, the sheets numbered serially. Copies of any punishment imposed or any reward or certificate for meritorious service rendered should also be filed in the Personal File and entered in the Personal Data Card.

68. Confidential Records (performance rating)

- (i) An Officer under whom an employee is working shall maintain a Confidential record about the manner in which the latter carries out the duties entrusted to him, to enable his superiors to assess his merit or demerits.
- (ii) The entries in the Confidential Record shall be clear and precise and shall be based on the Officer's personal observation of the work and conduct of the employee.
- (iii) The entries shall be made by the Officer in his own hand or typewritten by him and details shall be kept confidential.
- (iv) Any aspect of meritorious service deserving special mention should also be briefly recorded in the Confidential Record. Similarly, any punishment imposed and the circumstances leading to such punishment should also be mentioned.
- (v) The Confidential Record should be prepared every half year, covering the period from January to June and July to December. It shall be written up before the end of July and January and shall not be delayed lest it becomes a product of memory and mere routine.
- (vi) The Confidential Record shall be prepared by the Officer under whom an employee is working and shall be submitted to the Head of the Department who shall countersign it, adding his own remarks, if any.
- (vii) If there are adverse remarks in the confidential record of any employee, the Head of the Department/Personnel Department shall notify the employee of the fact. Where the remarks are of such a nature that the employee needs an advice or admonition only, the Head of the Department shall render such advice or admonition. In more serious cases, the Head of the Department shall give an opportunity to the employee concerned to submit an explanation. The intimation to the employee together with his reply, if any, shall be filed in the Personnel File.
- (viii) The Confidential Records of all employees shall be kept in safe custody by the Personnel Manager and made available to the Head of the Department for reference whenever required.

69. Gradation List.

- (a) Lists showing the relative seniority of employees in each category shall be maintained up-to-date and shall be the primary document for deciding claims of employees based on seniority.
- (b) The seniority of a person in any category is decided by the date of his first appointment to that category in a permanent capacity and in a sanctioned post.
- (c) Where more than one person has been appointed to the same position on the same date, seniority will be determined as follows:

(i) Where the appointment is made by promotion by selection, the selected candidates will be ranked on the basis of merit provided for in Chapter VI, as decided and approved by the promotion Committee.

(ii) If the appointment was made by direct recruitment/appointment by transfer, seniority will be determined by the rank obtained at the selection, irrespective of the date of joining, within the period allowed by the Company.

(d) A gradation list shall be prepared in the first instance and published on the notice board inviting objections. All objections received shall be considered and a final list shall be prepared and published after consideration of all objections received. Provided, however, that before any change is made in the list on the basis of representations or objections received, the other employees who are likely to be affected by such change or amendment shall be given an opportunity to present their counter claims, which shall also be taken into consideration before the final list is published. No further request for effecting changes in the final list thus published will be entertained.

(e) The list shall be open for reference to employees.

(f) The gradation list shall be revised consequent on any changes in appointment held by the persons included in the list, or orders affecting the seniority of any person. The changes shall be incorporated then and there and a complete revised list published once a year.

CHAPTER VI

CRITERIA FOR PROMOTION

70. (i) Eligibility of candidates for promotion will normally be considered on the date on which the vacancy arises. The date on which a vacancy arises will be referred to as the "crucial date". Candidates who possess the prescribed qualifications, experience etc. as on the crucial date will alone be considered for promotion in the order of seniority. In cases where the filling up of posts held in abeyance due to extra-ordinary circumstances such as directive of the Board of Government etc., the Managing Director shall issue necessary orders to that effect.
- (ii) If a vacancy arises due to death/retirement/dismissal/discharge/resignation of an employee, the date on which such death/retirement etc. took place shall be the crucial date.
- (iii) If a vacancy arises consequent on promotion of an employee, the date on which the promoted employee relinquishes charge of the post from which he is promoted shall be the crucial date.
- (iv) In the case of a newly created post, the crucial date shall be the date with effect from which such new post is created.
- (v) In cases where the filling up of a post has been suspended by the Managing Director by a specific order, the date on which sanction is again accorded by the Managing Director to fill up that post shall be the crucial date.
- (vi) In the event of any doubt or ambiguity due to particular situations regarding the crucial date, the Managing Director shall fix the crucial date taking into consideration all relevant aspects.

71. Ordinarily, vacancies will be filled up within 60 days from the date of occurrence of vacancy and only those who are eligible for promotion on the crucial date will be considered for promotion even if the vacancy is filled up after 60 days.

72. Not more than 3 candidates shall be considered for each vacancy, in accordance with their rank in the feeder category from which promotion is to be made.

73. Service in the feeder category alone will be reckoned for purpose of seniority. This service will include the period of probation in a category.

74. Selection will be based on seniority, attendance and performance rating as detailed in Schedule II. Practical or oral tests/interview will also be taken into account for promotion wherever applicable.

(a) Seniority :

One mark will be assigned for every completed 6 months of service of an employee, in the feeder category, subject to the maximum provided for in Schedule II. The period will be reckoned from the date of promotion to the feeder category to the crucial date.

(b) Attendance :

Persons who have availed themselves of leave on loss of pay for an average of more than 50 days per year excluding leave on loss of pay due to accident while on duty, during the three years immediately preceeding the crucial date will not be considered for promotion. Leave on loss of pay includes leave on loss of pay on medical grounds/unauthorised leave/study leave on loss of pay/leave on loss of pay for job abroad/for other domestic purposes and absence due to strike/lock-out/bandh and suspension as punishment; these will be taken into account for the purpose of pro-rata reduction of marks for attendance. Those who have not availed leave on loss of pay in the three years immediately preceding the crucial date will be given the full marks allotted for the purpose. Pro-rata reduction will be made for loss of pay leave during the preceding three years in the case of others, as given below :

No leave on loss of pay	..	20 marks
Leave only loss of pay for	1 day	19 ..
	2 days	18 ..
	3 ..	17 ..
	4 ..	16 ..
	5 ..	15 ..
	6 ..	14 ..
	7 ..	13 ..
	8 ..	12 ..
	9 ..	11 ..
	10 ..	10 ..
	11 ..	9 ..
	12 ..	8 ..
	13 ..	7 ..
	14 ..	6 ..
	15 ..	5 ..
	16 ..	4 ..
	17 ..	3 ..
	18 ..	2 ..
	19 ..	1 ..

Leave on loss of pay for 20 days or more.

(c) Performance Rating :

Average marks in the performance rating record for period of three years immediately preceding the crucial date will be taken into account. If the average marks obtained is less than 35 per cent, the candidate will not be considered for promotion.

76. Where more than one employee is promoted to a higher grade on the same date, seniority in the higher grade will be fixed on the basis of the marks obtained by each candidate in the selection. If two candidates obtain the same marks, their seniority will be fixed on the basis of the length of service in the feeder category, the senior employee being placed above the junior. If however, service in the feeder category is also the same, then their seniority will be fixed on the basis of their age, the older employee being placed as senior to the younger employee.

77. Trade tests may be conducted for appointment/promotion to the posts in Category III in Schedule II. Test/interview will be conducted in other cases. Candidates who obtain 50 per cent or more marks in the test/interview will alone be considered for promotion/appointment.

CHAPTER : VII

Employment Assistance Scheme for Dependents of Employees Dying in Harness

78. The objective of this scheme is to provide employment, or monetary assistance in lieu of employment, to dependents of employees dying in harness in the company.

79. 'Employees', for the purposes of this scheme, shall mean permanent employees of the company and who have completed 5 years of service in the company.

80. 'Dependent' means unemployed unmarried widow/son/unmarried daughter/brother/unmarried sister of the deceased subject to their eligibility to be employed in the Company as per Rule 81 below. The priority among dependents will be as follows :

- (1) Widow
- (2) Son
- (3) Unmarried daughter
- (4) Brother
- (5) Unmarried Sister.

ELIGIBILITY :

81. (a) The widow will be eligible for employment only if she has not been remarried. In case she does not wish to be employed, she will have the option to nominate one of her sons for employment. If eligible sons are not available she can nominate one of her unmarried daughters.
- (b) In case the widow is not alive, the son eligible for employment will get the first preference. If there are no sons eligible for appointment, the unmarried daughter will get the next preference. In such cases the other children should give a declaration jointly in writing consenting to providing employment to the daughter concerned.
- (c) The claim of unmarried sister or brother will be entertained only in the event of an employee dying unmarried, or in case the widow/son/daughter does not require employment and request the company to provide employment to an unmarried sister or brother of the deceased employee, as the case may be.
- (d) The age limit prescribed for appointment in the Company will be observed in the case of appointment under this scheme also.
- (e) Appointment under this scheme will be made only in posts falling under the subordinate services of the company. The particular post to which a particular dependent is to be appointed will be determined on the qualifications/eligibility and suitability of the dependent for the post.
- (f) If the widow of an employee does not wish to be employed, and if her children are not eligible or qualified for employment at the time of the death of the employee, the company shall, on her request provide employment to a son or daughter when he acquires the necessary eligibility, qualifications and suitability for employment in the company.
- (g) In case the widow of the deceased employee does not desire employment for herself or for a son or daughter, she may, at her option accept a lump sum payment of Rs. 30,000 (Rupees Thirty-thousand only). Such lumpsum payment will be on the condition that no dependant of the deceased will be employed by the Company under this scheme.
- (h) A claim for employment under this scheme should be preferred within six months from the date of demise of the employee concerned.

M. P. NARAYANA MENON, Arbitrator

SCHEDULE I

(See Rule 5)

List of Posts in Subordinate Service

I. Production Department

1. Process Supervisor
2. Supervisor Packing Shed and Raw Material
3. Chargehand Operator
4. Process Operator
5. Chargehand Crane Operator
6. Crane Operator
7. Trolley Driver
8. Weighing Operator
9. Stitching Operator
10. Work Assistant (Production)
11. Sir Safaicar
12. Safaicar (Production)

II. Engineering Department

Instrument Wing :

1. Supervisor (Instrument)
2. Chargehand (Instrument)
3. Instrument Mechanic
4. Work Assistant (Instrument)

Mechanical Wing, Electrical Wing and Civil Wing :

1. Supervisor (Fitter)
2. Supervisor (Lead Burning and Lead Plumbing)
3. Supervisor (Machine Shop)
4. Supervisor (Smithy and Welding)
5. Supervisor (Rigger)
6. Supervisor (Plastic Lining and Rubber Lining)
7. Supervisor (Electrical)
8. Supervisor (Winder)
9. Supervisor (Civil Maintenance)
10. Chargehand
11. Tradesmen. :
 - (i) Fitter
 - (ii) Welder
 - (iii) Turner
 - (iv) Machinist
 - (v) Automobile Fitter
 - (vi) Diesel Mechanic
 - (vii) Blacksmith
 - (viii) Greaser
 - (ix) Lead Burner
 - (x) Lead Plumber
 - (xi) Rigger
 - (xii) Rubber Liner
 - (xiii) Plastic Liner
 - (xiv) Electrician
 - (xv) Electrical Winder
 - (xvi) Telephone Mechanic
 - (xvii) REF and AC Mechanic
 - (xviii) Electrical Fitter
 - (xix) Lift Operator
 - (xx) Sanitary Plumber
 - (xxi) Carpenter
 - (xxii) Painter
 - (xxiii) Stone Dresser
 - (xxiv) Brick Layer

12. Work Assistant (Engineering) :

ITI Metric Trade

- Electrician
REF and AC Mechanic
Instrument Mechanic
D'Man (Surveying and levelling)

ITI Non-Metric Trade

- Fitter
Welder
Machinist
Turner
Lead Burner
Lead Plumber
Automobile Fitter
Electrical Winder
Blacksmith/Sheet Metal
Carpenter
Sanitary Plumber
Mechanic Motor Vehicle
Diesel Mechanic

Non-ITI Trade

- Rigger
Painter
Stone Dresser
Plastic Liner
Rubber Liner
Brick Layer

13. Vehicle Cleaner

Note :—Existing posts of Supervisor (Mechanical) are redesignated as Supervisors-Fitter[Machine Shop] Smithy and Welding/Rigger.

Boiler Wing :

1. Supervisor (Boiler)
2. Senior Boiler Attendant
3. Boiler Attendant

Civil Construction Wing :

1. Supervisor (Civil Construction)
2. Senior Work Overseer
3. Work Overseer
4. Selection Grade Asst. D'Man (Civil)
5. Asst. D'Man Civil

Yard (Engineering) :

1. Supervisor 'Yard'
2. Chargehand 'Yard'
3. Head Gardner
4. Gardner
5. Head Dhobi
6. Dhobi
7. Sir Safaicar
8. Safaicar
9. Scavenger/Sweeper*

Drawing Branch :

1. Selection Grade Asst. D'Man
2. Asst. D'Man
3. Tracer
4. Blue Printer

Vehicle Section :

1. Supervisor (Vehicles)
2. Staff Driver
3. Driver.

III. Materials Department

General Stores :

1. Selection Grade Store Keeper
2. Store Keeper
3. Asst. Store Keeper
4. Head Lascar*
5. Stores Attender*
6. Lascar

IV. Research and Development Department

1. Selection Grade Junior Chemist
2. Junior Chemist
3. Asst. Chemist

4. Library Assistant

5. Library Helper*

Note.—*Appointment to these posts will be discontinued when the present incumbents leave these posts.

V. Personnel Department

1. Canteen Supervisor
2. Selection Grade Senior Assistant
3. Senior Assistant
4. Junior Assistant
5. Welfare Assistant
6. Head Cook
7. Asst. Cook
8. Canteen Stores Attender
9. Canteen Mazdoor

Medical Wing :

1. Pharmacist
2. Nursing Assistant

VI. Security Department

1. Head Security Guard
2. Security Guard

VII. Administrative Department

1. Selection Grade Senior Clerk
2. Senior Clerk
3. Junior Clerk
4. Selection Grade Senior Stenographer
5. Senior Stenographer
6. Junior Stenographer
7. Selection Grade Senior Typist
8. Senior Typist
9. Typist
10. Telephone Operator
11. Rotaprint Operator
12. Attender
13. Peon.
14. Selection Grade Sr. Time Keeper
15. Senior Time Keeper
16. Junior Time Keeper
17. Computer Operator.

SCHEDULE II

(See Rule 75)

Category : I

Supervisors or equivalent posts :

1. Practical/written test/interview	30 marks
2. Attendance	20 marks
3. Performance rating	30 marks
4. Seniority	20 marks

Total 100 marks

Category : III

Chargehands/Senior Clerk/Senior Time Keeper, Sr. Stenographer/Sr. Typists/Store Keeper/Sr. Assistant/Junior Chemists/Sr. Work Overseer/Staff Driver/Senior Boiler Attendant or equivalent posts.

1. Practical/written test/interview	30 marks
2. Attendance	20 marks
3. Performance rating	20 marks
4. Seniority	30 marks

Total 100 marks

Category : III

All other posts in Subordinate Service

1. Trade test/written test/interview	30 marks
2. Attendance	20 marks
3. Performance rating	20 marks
4. Seniority	30 marks

Total 100 marks

SCHEDULE III

(See Rule 7)

Qualification and Method of Appointment

I. Procurement Department

1. Process Supervisor :

Promotion from Chargehand Operator :

- (1) SSLC or equivalent with 3 years' experience as chargehand operator ; OR
- (2) PDC with Chemistry as one of the subjects with 2 years' experience as Chargehand Operator ; OR
- (3) B.Sc. Chemistry or Diploma in Chemical Technology, with 1 years' experience as Chargehand Operator.

Note.—B.Sc. with Chemistry as ancillary subject will be considered equivalent to B.Sc. Chemistry in case of promotion only.

Direct Recruitment :

- (1) B.Sc. Chemistry with First or Second Class or First Class Diploma in Chemical Technology, or equivalent, with three years' experience in a reputed chemical process industry in the Process side.

2. Supervisor (Packing Shed and Raw Materials) :

Promotion from Chargehand Operator/Chargehand Crane Operator :

- (1) III Form or VII Standard with 5 years' experience as chargehand ; OR
- (2) SSLC, or equivalent, with 3 years' experience as chargehand ; OR
- (3) ITI with 2 years' experience as Chargehand.

3. Chargehand Operator :

Promotion from Operator :

- (1) III Form or VII Standard with 5 years' experience as Process Operator ; OR
- (2) SSLC or equivalent, with 3 years' experience as Process Operator ; OR
- (3) PDC with Chemistry with 2 years' experience as Process Operator ; OR
- (4) B.Sc. Chemistry/Diploma in Chemical Technology, or equivalent, with 1 years' experience as Process Operator.

4. Process Operator :

Promotion from Work Assistant :

- (1) III Form or VII Standard with 5 years' experience as work Assistant in Production Department ; OR
- (2) SSLC or equivalent, with 3 years' experience as work assistant in Production Department ; OR
- (3) PDC with 2 years' experience as Work Assistant in Production Department.

Direct Recruitment :

- (1) B.Sc. Chemistry/Diploma in Chemical Technology or equivalent ;
- (2) PDC with Chemistry and 2 years' experience in the relevant field.

5. Chargehand Crane Operator :

Promotion from Crane Operator :

- (1) SSLC with 5 years' experience as Crane Operator ; OR
- (2) ITI with 3 years' Experience as Crane Operator.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be considered for promotion along with other eligible employees.

6. Crane Operator :**Direct Recruitment :**

ITI in Fitter or Electrician Trade, with experience in Crane Operation for 3 years.

Note.—For appointment by transfer, experience in the operation of cranes will not be insisted upon, provided they possess ITI qualification in Fitter or Electrician Trades. They will be given one years' training in the operation of crane, prior to appointment as Crane Operator.

7. Trolley Driver :**Promotion from Work Assistant :**

(1) Literacy, with LMV driving licence, and with 5 years experience as Work Assistant ; OR

(2) III Form or VII Standard with LMV Driving Licence, and with 3 years' experience as Work Assistant.

Direct Recruitment :

III Form or VII Standard with LMV Driving Licence, and with 5 years' experience in driving.

8. Weighing Operator :**Promotion from Work Assistant :**

Literacy with 8 years' experience in the Production Department.

9. Stitching Operator :**Promotion from Work Assistant :**

Literacy, with 8 years' experience in Production Department.

10. Work Assistant :**Transfer from Canteen :**

Canteen Mazdoor/Cleaner/Assistant Cook with 4 years' experience. The transfer will be on the basis of seniority, subject to satisfactory confidential record and attendance. Absence on Loss of Pay exceeding 150 days in the preceding 3 years will disqualify an employee for transfer to this post.

Direct Recruitment :

SSLC or equivalent.

11. SIR Safaicar :**Promotion from Safaicar :**

Literacy and physical fitness, with 5 years' experience as Safaicar.

12. Safaicar :**Direct Recruitment :**

III Form or VII Standard, with proficiency in the trade. II, Engineering Department

13. Supervisor (Instrument) :**Promotion from Chargehand (Instrument) :**

(1) III Form or VII Standard, with 5 years' experience as Chargehand (Instrument) ; OR

(2) ITI in Instrument Mechanic, with 2 years' experience as chargehand (Instrument) ; OR

(3) Diploma in Instrumentation/Electrical/Electronic Engineering/Degree in Physics, with 1 years' experience as chargehand (Instrument)

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be considered for promotion along with other eligible employees.

Direct Recruitment :

(1) Diploma in instrumentation/Electrical/Electronics Engineering, with 3 years' experience as Supervisor in Instrumentation in a reputed organisation ; OR

(2) Degree in Instrumentation/Electrical/Electronic Engineering.

14. Chargehand (Instrument) :**Promotion from Instrument Mechanic :**

(1) Ability to read and write English, as certified by a test, with 8 years' experience as Instrument Mechanic ; OR

(1) III Form or VII Standard with 5 years' experience as Instrument Mechanic ; OR

(3) ITI in Instrument Mechanics with 2 years' experience as Instrument Mechanic ; OR

(4) Diploma in Instrumentation/Electrical/Electronics or B.Sc. Degree with Physics, with 1 year's experience as Instrument Mechanic.

15. Instrument Mechanic :**Promotion from Work Assistant (Instrument) :**

(1) ITI in Instrument Mechanics, or equivalent, with 2 years' experience as Work Assistant (Instrument) ; OR

(2) Diploma in Instrumentation/Electrical/Electronics, or Graduate in Physics with 1 year experience as Work Assistant (Instrument).

Direct Recruitment :

(1) ITI in Instrument Mechanics, or equivalent, with 4 years' experience in Instrumentation in a reputed organisation ; OR

(2) Graduate in Physics/Diploma in Instrumentation/Electrical/Electronics, with 2 years' experience in Instrumentation in a reputed organisation.

16. Work Assistant (Instrument) :**Direct Recruitment :**

ITI in Instrument Mechanics.

MECHANICAL WING**17. Supervisor (Fitter) :****Promotion from Chargehand Fitter/Chargehand Greaser :**

(1) III Form or VII Standard with 5 years' experience as Chargehand Fitter/Greaser ; OR

(2) ITI in Fitter Trade or equivalent, with 2 years' experience as Chargehand Fitter or Greaser ; OR

(3) Diploma in Mechanical Engineering, with 1 year experience as Chargehand Fitter/Greaser.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be eligible for promotion along with other eligible employees.

18. Supervisor—Lead Burning and Lead Plumbing :**Promotion from Chargehand Lead Burner/Chargehand Lead Plumber :**

(1) III Form or VII Standard with 5 years' experience as Chargehand Lead Burner/Chargehand Lead Plumber ; OR

(2) ITI Certificate in Welding/Lead Plumbing or equivalent with 2 years' experience as Chargehand Lead Burner/Chargehand Lead Plumber ; OR

(3) Diploma in Mechanical Engineering with 1 years' experience as Chargehand Lead Burner/Chargehand Lead Plumber.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be considered for promotion along with other eligible employees.

19. Supervisor—Machine Shop :**Promotion from Chargehand Machinist/Chargehand Turner :**

(1) III Form or VII Standard with 5 years' experience as Chargehand Machinist/Chargehand Turner ; OR

- (2) ITI in Machinist/Turner trade, or equivalent, with 2 years' experience as Chargehand Machinist/Turner ; OR

- (3) Diploma in Mechanical Engineering with 1 years' experience as Chargehand Machinist/Turner.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be considered for promotion along with other eligible employees.

20. Supervisor—Smithy and Welding :

Promotion from Chargehand Blacksmith/Chargehand Welder :

- (1) III Form or VII Standard with 5 years' experience as Chargehand Blacksmith/Welder; OR

- (2) ITI in Smithy/Welder/Sheet Metal trade, or equivalent, with 2 years' experience as Chargehand Smithy/Welder : OR

- (3) Diploma in Mechanical Engineering with 1 years' experience as Chargehand Smithy/Welder.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be considered for promotion along with other eligible employees.

21. Supervisor (Rigger) :

Promotion from Chargehand Rigger :

- (1) III Form or VII Standard with 5 years' experience as Chargehand Rigger ; OR

- (2) ITI with 2 years' experience as Chargehand Rigger ; OR

- (3) Diploma in Mechanical Engineering with 1 years' Experience as Chargehand Rigger.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test, will be considered for promotion along with other eligible employees.

Direct recruitment for posts of supervisors in serial Nos. 17 to 21 above :

- (1) Diploma in Mechanical Engineering with 3 years Supervisory experience in the Mechanical wing of a reputed organisation/Chemical Industry ; OR

- (2) Degree in Mechanical Engineering.

22. Supervisor—Plastic Lining and Rubber lining :

Promotion from chargehand Plastic Liner and Rubber Liner :

- (1) III Form or VII Standard with 5 years' experience as Chargehand Plastic Liner/Rubber Liner ; OR

- (2) ITI in Fitter/Welder Trade, or pass in the Fibre reinforced plastic certificates course conducted by Polytechnic, or equivalent, with 2 years' experience as chargehand Plastic Liner/Rubber Liner ; OR

- (3) Diploma in Mechanical Engineering with 1 years' experience as Chargehand Plastic Liner/Rubber Liner.

Note.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test will be considered for promotion along with other eligible employees.

Direct Recruitment :

- (1) Diploma in Mechanical Engineering with 3 years' Experience in HDP or FRP moulding and fabrication works or rubber lining works in a reputed organisation or Chemical Industry.

- (2) Degree in Mechanical Engineering.

ELECTRICAL WING

23. Supervisor-Electrical.—Promotion from Chargehand Electrician :—

- (1) III Form or VII Standard with 5 years' experience as Chargehand Electrician; or

- (2) ITI in Electrician trade or equivalent with 2 years' experience as Chargehand Electrician; or

- (3) Diploma in Electrical Engineering with 1 years' experience as a Chargehand Electrician.

NOTE.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test will be considered for promotion along with other eligible employees.

Direct Recruitment :

- (1) Diploma in Electrical Engineering with 3 years' experience in Supervisory level in the Electrical Wing of a reputed organisation of chemical industry; or

- (2) Degree in Electrical Engineering.

24. Supervisor-Winder.—Promotion from Chargehand (Electrical Winder) :—

- (1) III Form or VII Standard with 5 years' experience as chargehand Electrical Winder; or

- (2) ITI in Electrician trade, or equivalent, with 2 years' experience as Chargehand Electrical winder, or

- (3) Diploma in Electrical Engineering with 1 year's experience as Chargehand Electrical Winder.

NOTE.—Employees working as Chargehands as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test will be considered for promotion along with other eligible candidates.

Direct Recruitment :—

- (1) Diploma in Electrical Engineering with 3 years Supervisory experience in Electrical Winding in a reputed organisation or Chemical Industry; or

- (2) Degree in Electrical Engineering.

CIVIL WING

25. Supervisor-Civil Maintenance.—Promotion from Chargehand Painter/Chargehand Carpenter/Chargehand Bricklayer/Chargehand Sanitary Plumber :—

- (1) III Form or VII Standard pass with 5 years' experience as Chargehand Painter/Carpenter/Brick Layer/Sanitary Plumber; or

- (2) ITI in the relevant trade with 2 years' experience as Chargehand Painter/Carpenter/Brick-layer/Sanitary Plumber; or

- (3) Diploma in Civil Engineering with 1 years' experience as Chargehand Painter/Carpenter/Brick Layer/Sanitary plumber.

NOTE.—Employees working as Chargehand as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test will be considered for promotion along with other eligible employees.

Direct Recruitment :—

- (1) Diploma in Civil Engineering with 3 years supervisory experience in construction/maintenance work in a public limited company or reputed organisation.

- (2) Degree in Civil Engineering.

26. Chargehand.—Promotion from Tradesman :—

- (1) Ability to read and write English with 8 years' experience in the relevant trade as Tradesman; or

- (2) III Form or VII Standard with 5 years' experience in the relevant trade as Tradesman; or

- (3) ITI in the relevant trade, with 2 years' experience as tradesman; or

- (4) Diploma in Mechanical/Electrical/Civil Engineering, as the case may be, with 1 years' experience as Tradesman.

27. Tradesman :—
(a) ITI Trades :—

Name of Post	Trade
Mechanical Wing :	
Fitter	Fitter
Welder	Welder
Turner	Turner
Machinist	Machinist
Mechanic (Motor Vehicle)	Motor Mechanic
Automobile Fitter	Automobile Fitter
Diesel Mechanic	Diesel Mechanic
Blacksmith	Black smith
Greaser	Fitter
Lead Burner	Welder
Lead Plumber	Plumber
Electrical Wing :	
Electrician	Electrician
Electrical Winder	Electrician
REF. & AC Mechanic	REF & AC Mechanic
Lift Operator	Electrician
Electrical Fitter	Electrician
Civil Wing :	
Carpenter	Carpentry
Sanitary Plumber	Plumbing
Painter	Painter

Promotion from Work Assistants

- (1) Ability to read and write Malayalam with 8 years experience as Work Assistant in the relevant trade; or
- (2) III Form or VII Standard, with 5 years experience as Work Assistant in the relevant trade; or
- (3) ITI or equivalent in the relevant trade with 2 years experience as Work Assistant in the relevant trade; or
- (4) Diploma with 1 year's experience as Work Assistant in the relevant trade.

Direct Recruitment.—ITI, or equivalent, in the relevant trade, with 4 years' experience in the relevant trade in a reputed organisation.

(b) Non-ITI Trades :

Mechanical Wing	1. Rigger
	2. Rubber Liner
	3. Plastic Liner
Electrical Wing	Telephone Mechanic
Civil Wing	1. Stone Dresser
	2. Brick Layer

Promotion from Work Assistant :

- (1) Ability to read and write Malayalam with 8 years experience as Work Assistant in the relevant trade; or
- (2) III Form or VII Standard with 5 years' experience in the relevant trade; or
- (3) SSLC or equivalent with 3 years' experience as Work Assistant in the relevant trade.

Direct Recruitment :

- (1) III Form or VII Standard with 5 years' experience in the trade in a reputed organisation; or
- (2) SSLC with 3 years' experience in the relevant trade, in a reputed organisation.

28. Work Assistant (Engineering) :

(a) Work Assistant—ITI Matric Trade :

Direct Recruitment :

SSLC/JTSC with ITI or equivalent certificate in the relevant Engineering Trade.

(b) Work Assistant—ITI Non-Matric Trade :

Direct Recruitment :

ITI in relevant Engineering trade;

(c) Work Assistant Non-ITI Trade :

Appointment by transfer :

(1) SSLC or JTSC; or

(2) III Form or VII Standard Pass with 2 years' experience in the Company; or

(3) Literacy with 5 years experience in the Company.

29. Vehicle Cleaner.—Direct Recruitment

(1) III Mechanic Motor Vehicle.

CIVIL CONSTRUCTION WING

30. Supervisor-Civil Construction.—Promotion from Senior Work Overseer :

(1) ITI or equivalent in surveying and levelling or Draughtsmanship (Civil), or equivalent, with 2 years' experience as Senior Work Overseer; or

(2) Diploma in Civil Engineering with 1 years experience as Civil Overseer.

31. Senior work Overseer.—Promotion from Work Overseer.—

(1) ITI or equivalent in Surveying and levelling, or D'manship (Civil) or equivalent, with 2 years experience as Work Overseer; or

(2) Diploma in Civil Engineering with 1 year's experience as Work Overseer.

32. Work Overseer.—Direct Recruitment :

(1) ITI or equivalent in Surveying and levelling, or D'Manship, Civil or equivalent, with 4 years experience in Civil Construction Works in a reputed organisation; or

(2) Diploma in Civil Engineering with 2 years experience as Senior Boiler Attendant, plus a First Class gangisation.

33. Assistant D'Man-Civil.—Direct Recruitment :

(1) Diploma in Civil Engineering with 3 years' experience in Drawing Office of a reputed organisation.

BOILER WING

34. Supervisor (Boiler).—Promotion from Senior Boiler Attendant :

(1) III Form or VII Standard Pass with 5 years' experience as Senior Boiler Attendant, plus a First Class Competency Certificate issued by the Inspectorate of Boilers; or

(2) SSLC with First Class Competency Certificate issued by the Boiler Inspectorate, plus 3 years' experience as Senior Boiler Attendant; or

(3) Diploma in Mechanical Engineering with First Class Competency Certificate issued by the Boiler Inspectorate with 2 years' experience as Senior Boiler Attendant.

NOTE.—Senior Boiler Attendant with 8 years experience possessing first class Competency Certificate from the Boiler Inspectorate and having ability to read and write English as certified by a test will also be considered for promotion, along with other eligible candidates.

Direct Recruitment :

(1) Diploma in Mechanical Engineering with 3 years Supervisory experience in a Public Limited Company, plus First Class Competency Certificate from the Boiler Inspectorate; or

- (2) Degree in Mechanical Engineering with First Class Competency Certificate from the Boiler Inspectorate.
35. Senior Boiler Attendant.—Promotion from Attendant :

- (1) III Form or VII Standard pass with first class competency certificate from the Boiler Inspectorate with 5 years' experience as Boiler Attendant; or
- (2) SSLC with first class Boiler Competency Certificate from the Boiler Inspectorate, with 3 years' experience as Boiler Attendant; or
- (3) Diploma in Mechanical Engineering, with First Class Competency Certificate from the Boiler Inspectorate with 1 year's experience as Boiler Attendant.

NOTE.—An employee working as Boiler attendant in the Company as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test and possessing First Class Competency Certificate from Boiler Inspectorate will also be considered along with other eligible candidates.

36. Boiler Attendant.—Direct Recruitment :

SSLC or equivalent with First Class Competency Certificate from the Inspectorate of Boilers, with 3 years' experience as Boiler Attendant in a reputed Chemical Organisation/Chemical Industry of repute.

YARD-ENGINEERING

37. Supervisor-Yard.—Promotion from Chargehand-Yard :

- (1) III Form or VII Standard with 5 years experience as Chargehand Yard; or
- (2) SSLC with 4 years experience as Chargehand Yard.

38. Chargehand-Yard.—Promotion from Head Gardener/Head Dhobi/Sir Safaicar :

- (1) Ability to read and write Malayalam with 8 years' experience in the feeder post; or
- (2) III Form or VII Standard pass with 5 years' experience in the feeder post; or
- (3) SSLC with 3 years' experience in feeder post.

39. Head Gardener.—Promotion from Gardener :
Literacy and Physical fitness with 5 years' experience as Gardener.

40. Gardener.—Direct Recruitment :

Literacy and 3 years' experience in gardening.

41. Head Dhobi.—Promotion from Dhobi :

Literacy and physical fitness, with 5 years' experience as Dhobi.

42. Dhobi.—Direct Recruitment :

Literacy and proficiency in the trade, with 3 years' experience as Dhobi.

43. Sir Safaicar.—Promotion from Safaicar :

Literacy and Physical Fitness, with 5 years' experience as Safaicar.

NOTE.—Scavengers/Scavenger-cum-Sweeper/Cleaner-cum-Sweeper in service as on 1-4-1984 will also be considered along with Safaicars.

44. Safaicar.—Direct Recruitment :

Literacy and proficiency in the trade.

DRAWING BRANCH

45. Assistant D'Man.—Promotion from Tracer :

- (1) ITI in D'Manship or equivalent, with 3 years' experience as Tracer in Drawing Office; or
- (2) Diploma in Engineering or equivalent, with 2 years' experience as Tracer in Drawing Office.

Direct Recruitment :

- (1) Diploma in Engineering with 3 years' Experience in Drawing Office of a reputed organisation; or
- (2) ITI in D'Manship, with 5 years' experience.

46. Tracer.—Promotion from the Blue Printer :

SSLC with 5 years' experience as Blue Printer.

Direct Recruitment :

ITI in D'Manship with 4 years' experience as Tracer in a reputed Organisation.

47. Blue Printer.—Direct Recruitment :

ITI in D'Manship with 2 years' experience in Blue Printing in a reputed concern.

VEHICLE SECTION

48. Supervisor-Vehicles.—Promotion from Staff Driver/Chargehand Automobile Fitter :

- (1) III Form or VII Standard with 5 years experience as Staff Driver/Chargehand Automobile Fitter; or
- (2) SSLC with 4 years' experience as Staff Driver/Chargehand Automobile Fitter.

NOTE.—Drivers/Chargehand Automobile Fitters in service as on 1-4-85, who have completed 8 years and having ability to read and write English as certified by a test will be considered for promotion along with other eligible employees.

49. Staff Driver.—Promotion from Driver :

- (1) III Form or VII Standard with 5 years' experience as Driver; or
- (2) SSLC or equivalent, with 3 years' experience as Driver.

NOTE.—Employees in service as on 1-4-85, with 8 years' experience and having ability to read and write English as certified by a test will be considered for promotion along with other eligible candidates.

50. Driver.—Direct Recruitment :

III Form or VII Standard with 5 years' experience in driving, plus HMV Licence. Military service desirable.

III. MATERIALS DEPARTMENT

51. Storekeeper.—Promotion from Assistant Storekeeper :

- (1) SSLC or equivalent with 5 years' experience as Assistant Storekeeper; or
- (2) Graduate with 3 years' experience as Assistant Storekeeper.

Direct Recruitment :

- (1) Graduate or Diploma in Engineering with 4 years' experience in Stores transaction in a reputed concern; or
- (2) Graduate with Diploma in Materials Management with 3 years' experience in Stores transaction in a reputed concern.

52. Assistant Storekeeper.—Promotion from Lascar/Canteen Stores Attender :

- (1) SSLC with 3 years experience as Lascar/Canteen Stores Attender; or
- (2) Graduate/Diploma in Materials Management, with 2 years experience as Lascar/Canteen Stores Attender.

Direct Recruitment :

- (1) Graduate or Diploma in Engineering with 2 years experience in Stores transaction in a reputed organisation.
- (2) Graduate with Diploma in Materials Management with 1 years experience in Stores transactions in a reputed organisation.

53. Jascar.—Direct Recruitment :

SSLC or equivalent.

IV. RESEARCH AND DEVELOPMENT DEPARTMENT

54. Junior Chemist.—Promotion from Assistant Chemist :

(1) B.Sc. in Chemistry with 3 years' experience as Assistant Chemist; or

(2) Diploma in Chemical Technology/Engineering, with 3 years' experience as Assistant Chemist.

Direct Recruitment :

(1) B.Sc. Degree in Chemistry with I Class, with 3 years' experience in a reputed Chemical Laboratory; or

(2) M.Sc. Chemistry with II Class.

55. Assistant Chemist.—Direct Recruitment :

(1) B.Sc. Degree in Chemistry, with 2nd Class; or

(2) Diploma in Chemical Technology/Engineering with 2nd Class.

56. Library Assistant.—Direct Recruitment;

SSLC or equivalent with Diploma in Library Science.

NOTE.—The post of Library Helper, now in existence, will be abolished on the present incumbent leaving the post.

V. PERSONNEL DEPARTMENT

57. Canteen Supervisor.—Direct Recruitment :

Diploma in catering with 3 years' experience in Supervisory level in an Industrial Canteen of a reputed concern.

58. Senior Assistant.—Promotion from Junior Assistant :

(1) SSLC or equivalent with 5 years' experience as Junior Assistant; or

(2) Graduate with 3 years' experience as Junior Assistant.

59. Junior Assistant.—Direct Recruitment :

Graduate with 2 years' experience in a reputed concern.

60. Welfare Assistant.—Direct Recruitment :

M.A. (Sociology) or equivalent.

61. Head Cook.—Promotion from Assistant Cook :

Literacy with 5 years' experience as Assistant Cook.

62. Assistant Cook : —

III Form or VII Standard with 2 years' experience in a reputed concern.

63. Canteen Stores Attender.—Promotion from Canteen Mazdoor :

III Form or VII Standard with 4 years' experience as Canteen Mazdoor.

Direct Recruitment :

SSLC or equivalent, with experience in an Industrial Canteen.

64. Canteen Mazdoor.—Direct Recruitment :

III Form or VII Standard with experience in a reputed Industrial Centre.

MEDICAL WING

65. Pharmacist.—Direct Recruitment, or Deputation from Kerala Health Services Department :

(1) B. Pharm with 3 years' experience in a reputable Hospital; or

(2) D. Pharm with 7 years' experience in a reputable Hospital; or

(3) Certificate in Pharmacy with 20 years' experience in a reputable hospital or dispensary (for deputation only).

Desirable :

(1) 3 years' experience in first aid or certificate in first aid with one years' experience; or

(2) 3 years' experience in a reputable industrial medical unit; or

(3) 3 years' experience in giving injection in a reputable Hospital or dispensary.

66. Nursing Assistant.—Direct Recruitment or Deputation from Health Services Department :

(1) VII Standard with 5 years' experience in a Dressing room in a major hospital; and

(2) Completed 6 months' training for Nursing Assistant.

Desirable :

3 years' experience in an Industrial Medical Unit.

VI. SECURITY DEPARTMENT

67. Head Security Guard.—Promotion from Security Guard :

(1) III Form or VII Standard with 5 years' experience as Security Guard; or

(2) SSLC or equivalent with 3 years' experience as Security Guard.

NOTE.—Security Guards in service as on 1-4-85 with 8 years' experience and having ability to read and write English as certified by a test will be considered for promotion along with other eligible candidates.

68. Security Guard.—Direct Recruitment :

SSLC or equivalent with 5 years' Military Service.

Physical measurements—Height 5'5"; Chest 32"-34"

VII ADMINISTRATIVE DEPARTMENT

69. Senior Clerk.—Promotion from Junior Clerk/Stores Assistant :

(1) SSLC with 5 years' experience as Junior Clerk/Stores Assistant; or

(2) Graduate with 3 years' experience as Junior Clerk/Stores Assistant.

NOTE.—(1) A typist who is transferred as Junior Clerk will be juniormost in the cadre of Junior Clerks as on the date of transfer. He will be considered for promotion only if he has put in the qualifying service of 5 years or 3 years, as the case may be, as Junior Clerk but he will be eligible for service marks for the period of his service as Typist, as and when he is considered for promotion.

(2) Promotion to the post of Senior Clerk will be in the ratio 1 : 1 as between Junior Clerk and Stores Assistant.

70. Junior Clerk.—Direct Recruitment :

Graduate in Arts, Science or Commerce.

Transfer from Typists.—according to seniority, subject to satisfactory CR and attendance;

Promotion from Attender :

SSLC or equivalent, with 3 years' experience in the work of Clerical nature; pass in test.

NOTE.—In filling up vacancies of Junior Clerks, 2 : 1 : 1 ratio will be maintained, as between direct recruits, transfer of typists and promotion of attenders.

71. Senior Stenographer.—Promotion from Junior Stenographer :

(1) SSLC or equivalent with typewriting higher and Shorthand Higher with 5 years' experience as Junior Stenographer; or

(2) Graduate with Typewriting (H) and Shorthand (H) with 3 years' experience as Junior Stenographer.

72. Junior Stenographer.—Direct Recruitment :

Graduate with KGTE/MGTE (Higher) or equivalent certificate in Typewriting and Shorthand.

73. Senior Typist.—Promotion from Junior Typist :

- (1) SSLC with Typewriting (Lower) with 5 years' experience as Typist; or
- (2) Graduate with Typewriting (Lower) with 3 years' experience as Typist.

74. Typist.—Direct Recruitment :

Graduate with KGTE/MGTE Typewriting (Higher) or equivalent.

Promotion from Attender :

SSLC or equivalent with KGTE/MGTE Typewriting (Lower) or equivalent.

NOTE.—In filling up vacancies of Typists, 3 : 1 ratio will be maintained, as between direct recruits and promotion of Attender.

75. Telephone Operator.—Direct Recruitment :

Graduate, with 2 years' experience in handling and operating PABX and PBX Exchanges.

76. Rotaprint Operator.—Promotion from Attender :

III Form or VII Standard with experience in handling, operating, and maintaining GESTETNER and Rotaprint machines.

Direct Recruitment :

SSLC with experience in handling, operating, and maintaining GESTETNER and Rotaprint Machines.

77. Attenders.—Promotion from Peon :

SSLC with 5 years' experience as Peon.

78. Peon.—Direct Recruitment.

SSLC or equivalent.

79. Senior Time keeper.—Promotion from Junior Time-keeper :

- (1) SSLC with 5 years' experience as Junior Time Keeper; or
- (2) Graduate with 3 years' experience as Junior Time-Keeper.

80. Junior Time Keeper.—Promotion from Attender :

SSLC with 3 years' experience as attender.

Direct Recruitment :

Graduate.

81. Computer Operator.—Direct Recruitment :

- (1) Degree, preferably in Accountancy/Mathematics, with 5 years' experience in Computer Operator; and
- (2) Typewriting Lower.

82. Stores Assistant.—Direct Recruitment (Sports Quota) :
SSLC or equivalent, with achievements in the field of Sports.

83. Placement to Selection Grade posts.—Assistant D'Man, Junior Chemists, Senior Stenographer, Senior Time Keepers, Store Keepers, Senior Clerks, Senior Assistants, Senior Typists and Senior Stores Assistants will be placed in the selection grade in the respective posts, on completion of 5 years' service in the respective posts, subject to the following :

- (1) The ratio between Assistant D'Man, Junior Chemist, Senior Stenographer, Senior Time Keeper, Store Keeper, Senior Clerk, Senior Assistant Senior Typist and Senior Assistant and that of the respective selection grade posts will be 3 : 1.
- (2) Persons promoted to the above posts before 1-1-1982 will be automatically placed in the respective selection grades, as and when they complete 5 years' service in these posts, regardless of the 3 : 1 ratio. Any excess/shortage in number in the above posts will be adjusted while effecting future promotions.

(3) Persons promoted to the above posts after 1-1-1982 will not be entitled to automatic placement in the selection grade on completion of 5 years' service in these posts. They will be entitled to such placement only subject to availability of vacancies in the selection grade, on the basis of the 3 : 1 ratio fixed in Sub Clause (1) above.

(4) Placement in the selection grade posts will not make any change in the nature of duties performed by those who have been so placed, and they will continue to do the same duties as they were doing prior to such placement.

(5) Those placed in Selection Grade Posts will be eligible only for fitment, if any due, in the higher scale.

NOTE : GENERAL

(1) Appointments/Promotions to posts coming under the purview of the Public Service Commission and the criteria for such appointments/promotions are subject to concurrence of the Public Service Commission, wherever such concurrence is necessary as per rules in force in this regard.

(2) Typists who joined service on or after 22-11-1979 will be the feeder category for the post of Senior Typist, and they will not be eligible for transfer as Junior Clerks.

(3) The experience prescribed for various posts will be reduced by 1 years, for initial appointments, in the case of National Apprenticeship Certificate (NAC) holders, for all posts.

Trivandrum,

3rd March, 1985.

M. P. NARAYANA MENON, Arbitrator.

[No. L-29013/1/84-D. IV:B)]

नई दिल्ली, 20 मार्च, 1985

का. आ. 1336—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बगलकोट उद्योग के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-3-85 को प्राप्त हुआ था।

New Delhi, the 20th March, 1985

S.O. 1336.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bangalore as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bagalkot Udyog Ltd., and their workmen, which was received by the Central Government on the 13th March, 1985.

BEFORE THE INDUSTRIAL TRIBUNAL IN

KARNATAKA, BANGALORE

Dated this the 26th day of February, 1985

PRESENT :

Sri R. Ramakrishna, B.A., B.L., Presiding Officer

Central Reference No. 7 of 1980

I PARTY

Workmen represented by :—

- (a) The President, Bagalkot Udyog Mazdoor Sangh, C-29, Housing Colony, Bagalkot.

(b) The General Secretary,
Bagalkot Cement Co. Workers
Union, Muchkhandi Road,
Bagalkot, Bijapur Dist.

(c) The General Secretary,
The BCC Staff Association,
Bagalkot.

VS.

The General Manager,
Bagalkot Udyog Ltd.,
Bagalkot,
Bijapur District.

APPEARANCES :

For the I Party—(a):—Sri M. C. Narasimhan, Advocate, Bangalore.

For the I Party—(b):—None present.

For the I Party—(c):—None present.

For the II Party:—Sri R. Gururajan, Advocate, Bangalore.

REFERENCE:

(Government Order No. L-29011/59/79-D. III. 8, dated 24-9-1980)

AWARD:

The Central Government after forming an opinion that an industrial dispute exists between the Management of Bagalkot Udyog Limited, Bagalkot, and their workman regarding proposal to change in the shift working hours of the Lime Stone Quarry have referred this dispute for adjudication in exercising the powers conferred by Section 7A, and clause (d) exercising the powers conferred by Section 7A, and clause (d) Act, 1947.

SCHEDULE

"Whether the management is justified in proposing to change the shift working hours of the Lime Stone Quarry as mentioned in their Notice No. GM/MM/PD/10111 dated 21-4-79? If not, to what relief the workmen are entitled?"

2. After the dispute has been registered in this Tribunal the notices are issued to both the parties and on behalf of the I Party Sri M. C. Narasimhan, advocate has filed Vakalat for the I-A Party and the parties shown in I-B and I-C have not made any representation in spite of notice being served on them. On behalf of the II Party Sri R. Gururajan, advocate filed the Vakalat and the Claim Statement. The advocate for the I-A Party has not filed the claim statement in spite of several opportunities given to it and thereby there is absolutely no claim statement by the I-A Party Union.

3. The II Party have filed the Claim Statement contending that the reference is bad in law as it does not have the support of appreciable number of workmen of the II Party to constitute an industrial dispute within the meaning of Section 2(k) read with Section 10 of the Industrial Disputes Act and this Tribunal has no jurisdiction in law to grant any relief to the workman. They have further contended that the Government cannot in law refer justification of a proposal to change the shift working hours which cannot be termed or understood as the industrial dispute and the justification of a proposal to change the shift working hours can never be a matter for adjudication in the eye of law. The matter referred does not find a place either in the Second or Third Schedule of the Industrial Disputes Act and only matters find a place either in Second or Third Schedule alone are capable of being referred to the Tribunal under Section 10 of the Act.

4. They have further contended that the II Party is an industrial manufacturing cement and is having of its roll a total number of 505 workmen, out of which 85 workmen work in the quarry and the shift working hours in the factory are as follows:

'A' Shift : 00 Hours--0800 Hours

'B' Shift : 0800 Hours--1600 Hours

'C' Shift : 1600 Hours--2400 Hours

Prior to the issuance of the impugned Notice, the shift timings of the quarry were as under.

'A' Shift : 2200 Hours of previous day--0600 Hours

'B' Shift : 0600 Hours--1400 Hours

'C' Shift : 1400 Hours--2200 Hours

5. They having further contended there was difference in the working of the quarry and the factory. The raw materials for the industry is limestone and the Company experienced certain difficulties in the manufacturing of cement. It is involved in continuous process and the operations are required to be carried out throughout the day. The Company experienced frequent interruption in the plant and the work of plant at an efficient level was on account of difference in the working hours between the quarry and the factory. Hence they thought fit in the interest of efficient working and also to have better co-ordination with the quarry also should work on the same timings as that of other counterparts in the cement factory.

6. They have further contended the shift working hours in so far as the mine is concerned is approved by the authorities under the Mines Act and the shift working hours in the factory have been approved by the Inspector of Factories under the Factories Act. It is well settled that it is open to an employer to effect a change in the condition of service subject to the procedure prescribed under Section 9A of the Act and they have followed the provisions strictly and they are justified in law and on facts to change in shift working as proposed in the notice and hence they prayed to answer the reference in their favour.

7. Now the only point that arises for determination is—

(1) Whether the II Party is justified in proposing to change the shift working hours?

(2) What order?

8. Findings:

(1) Point No. 1:—Yes.

(2) Point No. 2:—As per final order.

9. Reasons:

Point No. 1:—It is most interesting to note that the Central Government has referred this matter mentioning in the Schedule to a notice dated 21-4-1979 said to have issued by the II Party without enclosing the said notice to this Tribunal, nor indicating in the Schedule the proposed change of time as shown in the said notice.

10. The II Party to justify the change in the shift working hours have examined the Manager of Mines as MW-1 and got marked the documents Ext. M-1 to M-11. It is the evidence of MW-1 that he is working from the last six years in the II Party and prior to that he was working as Mines Manager at Sowrashtta Cement and Chemical Industries, Gujarat. There are three shifts in the factory and to the workmen working in the quarry and in the factory the shift working hours are from 00 hours to 0800 hours for 'A' shift and for the 'B' shift 0800 hours to 1600 hours and for the 'C' Shift 1600 hours to 2400 hours. Similarly the shift timings of the quarry are 2200 hours to 0600 hours, 0600 hours to 1400 hours and 1400 hours to 2200 hours. Due to this difference in the change of shift timings of Mines and Factory they were incurring loss of man-hours about one hour and to bring co-ordination and boost up production they have proposed to change shift hours same to factory and mines and issued a notice of proposal as per Ext. M-1. He has further deposed for manufacturing cement the main raw material is lime.

11. He has further deposed that on 24-9-81 the Director of Mines (Safety), Goa Region, visited and instructed to revise the timings of the workmen working in the mines in accordance with Section 30 of the Mines Act and they intimated that they have already proposed of changing of timing and the same is under conciliation. Ext. M-2 is a letter given by the Director of Mines (Safety) and Ext. M-3 is their reply. He has further deposed that the Company has made correspondence with other concerns doing similar nature of work and received replies as per Exts. M-4 to M-11. These letters disclosed that the working hours of factory and mines

are in per. The timings they proposed is in accordance with the directions given by the Director of Mines and it is in conformity with the timings prescribed in other industries and by change of timings no hardship will be caused to the workmen.

12. Since this witness has not been cross-examined his evidence was closed and the case posted for the evidence of the I Party and due to their non-appearance the learned counsel for the II Party has addressed arguments justifying the change in shift working hours as proposed in their notice.

13. On a scrutiny of both oral and documentary evidence produced by the II party they have issued a notice to change the shift timings of the workmen working in the quarry to that of the shift hours of factory workmen as per Ext. M-1 and they have suggested the reason for changing of the shift in the annexure and the main contention seems to be that the strength of workmen in the mines is about 100 whereas the strength of workmen in the cement factory is about 435 and limestone from mine is fed into crusher department of the cement factory and limestone coming out of crusher department is fed into slurry mill department and different shift hours in the mine and cement factory cause interruption in co-ordination and smooth working of the mine and cement factory. Ext. M-2 is a letter addressed by the Director of Mines (Safety) to the II Party to bring about the change in the shifting hours as the present system is in contravention of the provisions of the Mines Act and the Rules framed thereunder and called for the explanation of the II Party for not taking any action for not complied with the suggestions made by him on the previous visit. Ext. M-3 is a reply to the said letter showing that the matter is pending adjudication and however they have changed the timing as suggested with effect from 14-5-1979. Exts. M-4 to M-11 are the letters received from the cement factories located throughout the country which show the uniformity of timing for the workmen working inside the factory and the workmen working in the quarry.

14. The I Party have not placed any material as to how this change in shifting hours is affecting the general interest of the workmen by filing a statement or leading evidence to appreciate the difficulties of the workmen. In the absence of these materials the Tribunal cannot suo moto from an opinion in favour of workmen. Indeed, the II Party have shown the justification for changing the working hours for the workmen working in the quarry in par with the workmen working inside the Factory i.e. to bring co-ordination and boost up production. It is also manifest that many cement factories are working adopting such a method in the shift hours and it is also in accordance with the Mines Act. Hence I hold this point in the affirmative.

15. In the result, an award is passed rejecting the reference.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me).

R. RAMAKARISHANA, Presiding Officer,
[No. L-29011/59/79-D. III (B)]
M. L. MEHTA, Desk Officer

नई दिल्ली, 15 मार्च, 1985

का. आ. 1337-—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत कोकिंग कोल लि. की बनेडीह कोलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-3-1985 को प्राप्त हुआ था।

New Delhi, the 15th March, 1985

S.O. 1337.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure

in the industrial dispute between the employers in relation to the management of Benedih Colliery of Messrs. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 14th March, 1985.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 71 of 1984

PARTIES :

Employers in relation to the management of Benedih Colliery of Messrs Bharat Coking Coal Limited.

AND

Their workmen.

PRESENT :

Shri I. N. Sinha, Presiding Officer.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri B. Lal, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 11th March, 1985

AWARD

The present reference arises out of *Order No. L-20012 (197)/84-D.III(A), dated, the 25th September, 1984 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

“Whether the action of the management of Benedih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nawagarh, Dhanbad in not regularising the work-listed in the Annexure below in the jobs mentioned against the names is justified? If not, to what relief are the concerned workmen entitled?”

ANNEXURE

1. No.	Name	Designation	Working as
1.	Sri Mohan Kumar	Loader	Drill Man
2.	Sri Rhusan Kumar	-do-	Dresser
3.	Sri Thakur Mahato	-do-	-do-
4.	Sri Chuni Singh	-do-	Expl. Carrier
5.	Sri Rasik Mahato	-do-	Drill Man
6.	Sri Magar Rajwar	-do-	Expl. Carrier
7.	Sri Bistu Rawani	-do-	Prop Mazdoor
8.	Sri Sukhdeo Lala	-do-	Pump Khala
9.	Sri Biru Mandal	-do-	-do-
10.	Sri Hiranman Mahato	-do-	Prop Mazdoor
11.	Sri Atwari Mahato	-do-	-do-
12.	Sri Deglat Mahato	-do-	-do-
13.	Sri Nasir Mian	-do-	-do-
14.	Sri Sanichar Manjhi	-do-	-do-
15.	Sri Govind Manjhi	-do-	-do-
16.	Sri Bhubaneswar Manjhi	Prop Mazdr.	Prop Mistry.
17.	Sri Bhado Majhi	G. Mazdr.	Line Mazar.
18.	Sri Ashu Rawani	do	do
19.	Sri Shivanath Noric	do	do
20.	Sri Radhe Manjhi	do	Expl. Carrier
21.	Sri Jageshwar Manjhi	do	do
22.	Sri Hari Ram Rajwar	Loader	Presser
23.	Sri Raju Napit	Line Mistry	Line Mistry
24.	Sri Janaki Nonia	G/Mazdr.	G. Mazdoor

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

I. N. SINHA, Presiding Officer
[No. L-22012(197)/84-D.III(A)]

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL NO. II,
DHANBAD

Reference No. 71/84

Employers in relation to the management of Benedih
Colliery.

AND

Their workmen.

PETITION OF THE SETTLEMENT

The humble petition on behalf of the parties above named most respectfully sheweth :—

1. That, the Central Government by notification No. L-20012/(197)/84. D.III(A) dated 25th September, 1984 has been pleased to refer the present dispute to this Hon'ble Tribunal for adjudication of the issue contained in the schedule of reference which is reproduced below :—

SCHEDULE

"Whether the action of the management of Benedih Colliery of M/s. Bharat Coking Coal Limited, P.O. Nawagarh, Dhanbad, in not regularising workmen listed in the annexure below in the jobs mentioned against the names is justified? If not, to what relief are the concerned workmen entitled?"

ANNEXURE 'A'

1. Shri Mohan Kumar
2. Shri Bhushan Kumar
3. Shri Thakur Mahato
4. Shri Chuni Singh
5. Shri Rasik Mahato
6. Shri Mangaraj Rajwar
7. Shri Bistu Rewani
8. Shri Biru Mandal
9. Shri Hiranman Mahato
10. Shri Atwari Mahato
11. Shri Deglal Mahato
12. Shri Nasir Mia

13. Shri Sanichar Manjhi
14. Shri Govind Manjhi
15. Shri Bhuneshwar Manjhi
16. Shri Hari Ram Rajwar
17. Shri Bhadru Manjhi
18. Shri Ashu Rewani
19. Shri Shionath Nonia
20. Shri Radhey Manjhi
21. Shri Jageshwar Manjhi
22. Shri Sukhdeo Lala
23. Shri Raju Napit
24. Shri Janki Nonia.

2. That the above dispute has been amicably settled between the parties on the following terms :—

TERMS OF SETTLEMENT

- (a) That the following concerned workmen will be regularised in the post mentioned against their names in Annexure 'B' from 1-4-84 and will be put in the initial starting of the basic wages of the category plus nos. of increment as shown in Annexure B' against their names.
- (b) That, the concerned workmen will have no other or further claim.
- (c) That, in view of the settlement here remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

For the workmen
Sd/-
(R. A. Singh)
Coalfield Labour Union,
General Secretary,

For the employers
Sd/-
(S. S. Thakur),
Agent
Benedih Colliery
Sd/-
(M. B. Jha),
Dy. Personnel Manager,
Block-II Area
Sd/-
(R. Mohan),
Personnel Manager,
Block-II Area.
Sd/-

I. N. SINHA, Presiding Officer

ANNEXURE—'B'

Sl. No.	Name	Designation on regularisation	Category	No. of increment to be given	Basic wages on regularisation	Date of next increment
1.	Bhushan Kumar	Pump Operator	Cat. II	3	Rs. 23.24	1-4-85
2.	Seonath Nonia	Line Mazdoor	Cat. II	2	Rs. 22.71	"
3.	Rajoo Napit	Line Mazdoor	Cat. II	2	Rs. 22.71	"
4.	Janki Nonia	General Mazdoor	Cat. I	2	Rs. 22.02	"
5.	Deglal Mahato	Prop Mazdoor	Cat. II	3	Rs. 23.24	"
6.	Nasir Mia	-do-	Cat. II	3	Rs. 23.24	"
7.	Bistu Rewani	-do-	Cat. II	3	Rs. 23.24	"
8.	Sanichar Manjhi	-do-	Cat. II	3	Rs. 23.24	"
9.	Gobind Manjhi	-do-	Cat. II	3	Rs. 23.24	"
10.	Bhadru Manjhi	-do-	Cat. II	2	Rs. 22.71	"

1	3	4	5	6
11. Mangar Rajwar	Explosive-carrier	Cat. II	3	Rs. 23.24 ..
12. Sukhdeo Lala	Pump Operator	Cat. II	3	Rs. 23.24 ..
13. Biru Mandal	-do-	Cat. II	3	Rs. 23.24 ..
14. Radhe Manjhi	Explosive Carrier	Cat. II	2	Rs. 22.71 ..
15. Jageshwar Manjhi	-do-	Cat. II	2	Rs. 22.71 ..
16. Chuni Singh	S.B. Attendant	Cat. III	3	Rs. 24.65 ..
17. Thakur Mahato	Dresser	Cat. III	3	Rs. 24.65 ..
18. Hariram Raywar	Dresser	Cat. III	3	Rs. 24.65 ..
19. Hiranman Mahato	Trammer	Cat. III	3	Rs. 24.65 ..
20. Atwari Mahato 203494	Trammer	Cat. III	3	Rs. 24.65 ..
21. Rasik Mahato	Driller	Cat. IV	3	Rs. 26.50 ..
22. Mohan Kumhar 203370	Driller	Cat. IV	4	Rs. 27.30 ..
23. Ashu Rewani	Lune Mazdoor	Cat. II	2	Rs. 22.71 ..

नई दिल्ली, 16 मार्च, 1985

का. अं. 1338--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत कोयला कॉल लि. को जोगिडाह कोलियरी के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार को 11-3-1985 को प्राप्त हुआ था।

New Delhi, the 16th March, 1985

S.O. 1338.--In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Jogidih Colliery of Messrs Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 11th March, 1985

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 68 of 1984

PARTIES :

Employers in relation to the management of Jogidih Colliery of M/s. Bharat Coking Coal Limited

AND

Their workmen.

PRESENT :

Shri I. N. Sinha, Presiding Officer

APPEARANCES :

For the Employers--Shri B. Joshi, Advocate.

For the Workmen--Shri Lalit Burman, Vice President United Coal Workers' Union

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 28th February, 1985

AWARD

By Order No. L-20012(210)/84-D.III(A) dated, the 25th September, 1984, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of Jogidih Colliery of Messrs Bharat Coking Coal Ltd. in dismissing Shri Mohan Sahu from service with effect from 16-11-1978 for misconduct, especially when the Additional Session Judge 3rd Court, Dhanbad held that charges of fraud and dishonesty had not been established and honourably acquitted him is justified? If not, to what relief the workman is entitled?"

2. The preliminary point regarding fairness of the domestic enquiry has already been decided in this case vide nzw order dated 31-1-1985 and it was held that the departmental proceeding held against the concerned workman was fair and proper. Now this order will deal with the merit of the case.

3. The case of the workmen is that the concerned workman Sri Mohan Sahu was working as an Explosive Carrier in Jogidih Colliery of M/s. Bharat Coking Coal Ltd. He was charge-sheeted on 13-12-77 alleging misconduct under clause 18(1)(a) of the Standing Orders. After holding the enquiry into the charges against the concerned workman he was dismissed from service with effect from 16-11-78.

4. The case of the workmen further is that the management simultaneously lodged an F.I.R. with the Baghmara Police Station on 13-12-77 implicating the concerned workman in a criminal case on the same allegation which was included in the charges in the domestic enquiry. In the said criminal case the concerned workman was convicted by the Judicial Magistrate 1st Class, Baghmara under section 379 and 420 I.P.C. The concerned workman preferred an appeal against the order of this conviction and his appeal was heard by the 3rd Addl. Sessions Judge at Dhanbad. The order of conviction and sentence passed against the concerned workman by the Judicial Magistrate was set aside by the learned Addl. Sessions Judge vide his order dated 27-9-83 and the concerned workman was acquitted of all the charges. The said judgement in criminal appeal exposed

the serious infirmities in the prosecution case, the witnesses examined in the criminal court were the same persons who had deposed in the departmental enquiry. The judgement also brought out sharply how the management concealed the real facts and documents and led false evidence against the concerned workman. After the judgement of acquittal passed by the Addl. Sessions Judge, the concerned workman made an application dated 11-10-83 before the management annexing therewith a certified copy of the judgement in criminal appeal dated 27-9-83 and prayed that he may be taken back in service with back wages. The Manager, Jogidih Colliery by a letter dated 21-10-83 informed the concerned workman that his prayer for reinstatement was rejected. Thereafter an industrial dispute was raised before the A.L.C. (C). Dhanbad and thereafter the present reference has been made. It has been submitted on behalf of the concerned workman that the action of the management in refusing to reconsider the case of the concerned workman in the light of the judgement of the criminal appeal passed by the Addl. Sessions Judge, Dhanbad, is neither proper nor justified specially in view of the fact that the concerned workman was honourably acquitted of the charges of fraud and dishonesty alleged against him. The workman have prayed that the concerned workman be reinstated with full back wages and other benefits from the date of his dismissal.

5. The case of the management is that the concerned workman Sri Mohan Sahu was working as Explosive Carrier at Jogidih Colliery. He took fraudulently the presigned depot transfer vouchers, namely, voucher No. 153049 dated 15-10-77, voucher No. 158199 dated 8-10-77, voucher No. 153017 dated 29-11-77 and voucher No. 158144 dated 9-11-77 and withdrew detonators from the magazine of South Govindpur Colliery and did not deposit the same at the magazine of Jogidih Colliery, thus causing loss to the management of 3500 electric detonators and 6000 ordinary detonators. The said detonators being highly explosive substance might have been sold away to anti social elements for monetary gain by the concerned workman. The concerned workman was issued with a chargesheet dated 13-12-77 for commission of fraud or dishonesty in connection with Company's business to which the concerned workman had submitted his reply denying the allegations. The management held a Departmental Enquiry against the concerned workman into the charges framed against him. The enquiry was conducted in accordance with the principles of natural justice and the concerned workman was found guilty of the misconduct alleged against him in the chargesheet. The enquiry proceedings, enquiry report and all other relevant papers were examined by the competent authorities and after obtaining necessary approval for his dismissal the concerned workman was dismissed from his service by the letter dated 16-11-78 as the misconduct committed by the concerned workman was, of a very serious nature. The acquittal of the concerned workman in the criminal appeal has no bearing on the findings of the Enquiry Officer in the departmental enquiry and it was the findings of the Enquiry Officer which is the only relevant consideration in the present reference. The management took disciplinary action on the basis of the enquiry proceeding and enquiry report. The management did not pursue the criminal case. It was within the jurisdiction of the State to properly conduct the trial and appeal of the criminal case and the management was not concerned with it. The management had relied entirely on the disciplinary proceeding in passing the order of dismissal against the concerned workman.

6. The points to be considered are whether there were materials in the enquiry proceeding to establish the charges against the concerned workman and whether the said findings of the Enquiry Officer can be affected by the subsequent order of acquittal in the criminal case in respect of the same allegation.

7. Ext. W-1 is the certified copy of the judgement dated 27-9-83 passed in criminal appeal No. 97 of 1980 in which the concerned workman Sri Mohan Sahu was the appellant and the State of Bihar was the Respondent. On perusing the said judgement of the Appellate Court it will appear that Explosive Stock Register of Jogidih Colliery had not been produced by the prosecution in the trial court and on its

basis adverse inference was taken against the Prosecution case. On perusal of the enquiry proceeding it will appear that the Explosive Stock Register of Jogidih Colliery was produced before the Enquiry Officer and the same was exhibited as Ext. VIII. The said Register is for the period August, 1977 to 28th February, 1978. It will appear from the statement of MW-4 Sri Kumar before the Enquiry Officer that when the reconcile statement of supply of explosive from South Govindpur Magazine for the month of October, 1977 and November, 1977 was reconciled from the Explosive Stock Register it was detected that neither the ordinary detonators nor the electric detonators were received during these two months as stock of electric detonators and ordinary detonators were sufficient in the stock of Jogidih. On perusal of the Stock Register it appears that the detonators issued from South Govindpur Magazine were not entered in the Stock Register of Jogidih Colliery. Had this Stock Register been produced by the Prosecution before the criminal court the consideration would have been otherwise before the criminal court.

8. It will appear from the enquiry proceeding that the concerned workman had given his statement during the enquiry. He had admitted that he had taken detonators from Govindpur Magazine on 15-10-77, 8-10-77, 9-11-77 and 19-11-77 and that he had not brought those detonators during his duty hours. It will also appear from his statement that he was an underground explosive carrier of Jogidih magazine and it appears that it was not his duty to bring explosives from Govindpur Magazine. It will also appear from his statement before enquiry officer that the concerned workman had signed on the four D.T. Vouchers at the time he had received the detonators from Govindpur Magazine. Thus it was an admitted case that the concerned workman had taken the alleged explosive from Govindpur Magazine on the basis of presigned depot transfer voucher. The said statement of the concerned workman was not available in the criminal case as an accused person can not be compelled to give statement in criminal trial. Thus this statement of the concerned workman was not considered by the Appellate Criminal Court whereas the statement given by the concerned workman during the enquiry proceeding was a valid piece of document for considering the charges against the concerned workman.

9. The concerned workman has further stated in his statement before the Enquiry Officer that he had taken the explosive from Govindpur colliery as Sri Asiruddin had told him to bring the detonators and that he had taken delivery of the detonators from Govindpur Colliery in order to help Sri Asiruddin in his duty. The concerned workman did not examine Sri Asiruddin to show that he had taken delivery of the detonators at the instance of Sri Asiruddin. The concerned workman had stated in his written statement before the Enquiry Officer that he was asked by Sri Asiruddin Mian, another Explosive Carrier, to bring detonators on the basis of duly prepared and signed depot transfer vouchers and that the detonators brought by him had been deposited in Jogidih magazine by Sri Asiruddin Mian. The said written statement before the Enquiry Officer is marked Ext. M-2 in the case. In his further statement before the Enquiry Officer he has stated that he had not handed over the detonators to Sri Asiruddin Mian in Jogidih magazine, but he had given it in the way in front of Tundoo Road. It will appear that the concerned workman had received the detonators from Govindpur magazine on four different dates i.e. on 15-10-77, 8-10-77, 9-11-77 and 19-11-77. The statement of the concerned workman that he had handed over the detonators to Sri Asiruddin in the way in front of Tundoo Road appears to be a false statement in as much as it can not be believed that he was handing over the detonators taken by him from Govindpur magazine all the time in the way in front of Tundoo Road. Further on verification of the stock register and Dav Book of Stores Received of Jogidih filed before the Enquiry Officer (marked IV) also will show that the detonators taken by the concerned workman on four different dates from Govindpur magazine were not kept in the stock of Jogidih colliery on the corresponding dates. All these facts were not before the criminal court and as such it was not possible for the criminal court to appreciate the evidence and facts which were placed before the Enquiry Officer in the enquiry proceeding.

10. On perusal of the enquiry report and all the relevant materials on the record before the Enquiry Officer it will appear that the Enquiry Officer had considered all the materials placed before him and it cannot be said that his findings passed on those materials were perverse or that the said opinion could not be held. I, therefore, hold that there were sufficient materials before the Enquiry Officer to establish the charges against the concerned workman.

11. Admittedly the judgement of the Appellate Court had not been pronounced at the time when the enquiry report was submitted and disciplinary action was taken against the concerned workman. The said departmental proceeding and the punishment of dismissal had become final since long before the judgement in the criminal appeal. I have already discussed above that the materials which were placed before the Enquiry Officer were not before the Criminal Court and as such I do not think that the judgement in criminal appeal can upset the finality of the enquiry proceeding and the punishment of dismissal imposed against the concerned workman. I hold, therefore, that the said findings of the Enquiry Officer cannot be affected by subsequent order of acquittal in criminal case in respect of the same allegations.

12. In view of the discussions made above I hold that the action of the management of Jogidih Colliery of M/s. Bharat Coking Coal Ltd. in dismissing the concerned workman Sri Mohan Sahu from service with effect from 16-11-78 for misconduct is justified, even though the Addl. Sessions Judge 3rd Court, Dhanbad, held that the charges of fraud and dishonesty had not been established and acquitted the concerned workman. Accordingly the concerned workman is not entitled to any relief.

This is my award.

I.N. SINHA, Presiding Officer
[No. L-20012(210)/84-D.III(A)]

का. आ. 1339.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रिय सरकार, वरोरा क्षेत्र नं. 1 में भारत कोकिंग कोल लि. की फूलारितान्ड कोलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करता है, जो केन्द्रिय सरकार को 12-3-1985 को प्राप्त हुआ था।

S.O. 1339.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of Phularitand Colliery in Barora Area No. 1 of M/s. Bharat Coking Coal Limited and their workmen which was received by the Central Government on the 12th March, 1985.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 81 of 1982

PARTIES :

Employers in relation to the management of Phularitand Colliery in Barora Area No. 1 of Messrs Bharat Coking Coal Ltd., P.O. Nawagarh, Dist. Dhanbad,

AND

Their Workmen.

PRESENT :

Shri I. N. Sinha, Presiding Officer.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 28th February, 1985

AWARD

By Order No. L-20012(66)/82-D.III (A), dated, the 9th July, 1982, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication.

“Keeping in view the nature of jobs and regularity of attendances whether the demand of the workmen of Phularitand Colliery of Messrs Bharat Coking Coal Limited in Barora Area No. 1, Post Office—Nawagarh, District Dhanbad, that the workmen mentioned in the Annexure below should be regularised in different jobs shown in the Annexure against each of them is justified? If so, to what relief are the said workmen entitled and from what date?”

ANNEXURE

Sl. No.	Name of the workmen	Jobs in which regularisation demanded.
1.	Shri Gopi Mahato	Trammer
2.	Shri Khemi Lal Mahato	Driller
3.	Shri Chattu Mahato	Dresser
4.	Shri Parmeswar Mahato	Hammerman
5.	Shri Hublal Rajak	Trammer
6.	Shri Darshan Mahato	Stone cutter
7.	Shri Pairu Mahato	-do-
8.	Shri Ganesh Mahato	-do-
9.	Shri Chettu Mahato	-do-
10.	Shri Bulaki Mahato	-do-
11.	Shri Lalchand Mahato	-do-
12.	Shri Hiranman Mahato	-do-

2. Soon after the receipt of the reference notices were sent to the parties for filing their written statements. After that adjournments were given to the parties for filing their documents. Ultimately on 24-1-1985 parties filed a memorandum of settlement in terms of which some of the workmen were transferred to Area No. V of M/s. Bharat Coking Coal Limited as per their consent and others have been regularised. Since the term of settlement is beneficial to both the parties, I accept the same and pass my award accordingly in terms of the settlement which shall form part of the award as annexure.

I. N. SINHA, Presiding Officer
[No. L-20012(66)/82-D.III(A)]

ANNEXURE

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

Petition of Compromise in Reference No. 81/82

Employers in relation to the Management of Phularitand Colliery

AND

Their workmen.

The humble petition on behalf of the parties to the above dispute most respectfully sheweth :

1. That, without prejudice to the respective contentions of the parties contained in the written statement, they have agreed to settle the dispute on the following terms :

Terms of Settlement

1. Shri Gopi Mahato, Khemlal Mahato, Chhattu Mahato, Parmeswar Mahato, Ganesh Mahato, Bulaki Mahato, Hiranman Mahato and Chettu Mahato, Miner/Loaders were being

engaged on time rated jobs as and when required basis. However, they did not oppose to work in their original job of Miner/Loaders. They submitted the consent letter to work as Miner/Loader with the condition that they should be transferred to Area No. V and accordingly, they were transferred to Area No. V as per their consent. As such, the union agreed that there does not exist any dispute regarding regularisation of the above workmen.

2. That Shri Hublal Rajak shall be regularised as piece rated trammer with the initial basis of group-IV.

3. That Shri Darsan Mahato, Pairu Mahato, Lal Chand Mahato shall be regularised as time rated stone cutter in cat-IV with initial basis of cat-IV with immediate effect.

4. That the above workmen shall have no further claim of difference/arrears wages whatsoever.

That in view of the settlement there remains nothing to be adjudicated.

It is, therefore, humbly prayed that the settlement may kindly be accepted as fair and reasonable and Award may be passed in terms of settlement.

Signature of Representing the Management.
(V. R. Joshi)

Personnel Manager
Barora Area.
(M. K. Singh)

Sr. Personnel Officer,
Barora Area.

Signature of Representing the workmen/Union.
(Shankar Bose).
Rashtriya Colly. Maz. Sangh
(Basudev Sarkar)
Br. Secretary,

Rashtriya Colly. Maz. Sangh.
Part of the Award

नई दिल्ली, 19 मार्च, 1985

का. आ. 1340.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सेंट्रल कोल फील्ड लि. की हिंदगीर कोलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-3-1985 को प्राप्त हुआ था।

New Delhi the 19th March, 1985

S.O. 1340.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Central Coalfields Limited's Hindgir Colliery and their workmen which was received by the Central Government on the 11th March, 1985.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 5 of 1984.

PARTIES:

Employers in relation to the management of Central Coalfields Limited's Hindgir Colliery, P.O. Hindgir, Dist. Hazaribagh.

1704 GI/84—15

AND

Their Workmen

PRESENT:

Shri I. N. Sinha.—Presiding Officer.

APPEARANCES:

For the Employers—Shri R. N. Singh Personnel Manager.

For the Workmen—Shri Raghunandan Prasad, President, Coal Mines Engineering Workers Association, Hazaribagh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 27th February, 1985

AWARD

By Order No. L-20012(240)/83-D.III(A), dated the 24th/27th January, 1984, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication.

"(1) Whether the action of the management of Hindgir Colliery of Central Coalfields Limited, in not giving proper designation/category and arrears accruing thereon to 11 workmen listed in the Annexure below, is justified? If not, to what relief are these workmen entitled?"

(2) Whether the action of the management of Hindgir Colliery of Central Coalfields Ltd. in not transferring back Shri Munna Gope as C.C.M. Driver is justified? If not, to what relief is this workman concerned entitled?"

ANNEXURE

1. Shri Lakhan Saw
2. Shri Misir Manjhi
3. Shri Raja Ram Singh
4. Shri Magan Mahato
5. Shri Rozan Manjhi
6. Shri Udit Narayan Singh
7. Shri Jamuna Choudhary
8. Shri Balkuwar Singh
9. Shri K. C. Laik
10. Shri Ghuran Ganju
11. Shri Bijulia Mahato.

2. The case of the workmen is that all the 11 concerned workmen are working in Hindgir Colliery of M/s. Central Coalfields Limited. The further case of the workmen is that the concerned workman Sri Lakhan Saw is designated as a piece-rated loader, but he has been working as welder since 24-6-80. The Asstt. Engineer of the Colliery has stated in a letter dated 26-8-82 that Lakhan Saw is working as a welder. Sri Lakhan Saw was given Category II wages upto 16-4-83. The demand of the union is that he should be regularised as a welder and that he should be paid the arrears.

3. Sri Misir Manjhi, serial No. 2 of the Annexure to the order of reference was promoted in Category V in 1973. He is working as a Head Fitter in Category VI which is a work of a higher category. He was promoted in the higher category in 1977. The union demands that he should be regularised on the post of a fitter in Category VI and the arrears of his previous period working.

4. The case of Shri Raja Ram Singh, serial No. 3 of the Annexure to the order of reference is that he was a pump khalasi operating a pump of 120 HP in underground mine and that he is also operating main switch. He is getting wages of Category II although he has been operating the pump of 120 HP since five years. The union has demanded his promotion in Category IV and has also claimed arrear

5. The case of Shri Magan Mahato, serial No. 4 of the Annexure to the order of reference is that he is working as a Mechanical Fitter since 1978 in Category III wages of line mistry job. The union has demanded his regularisation as mechanical fitter in Category IV and there is further demand for payment of arrear of category III and category IV from 1978.

6. The case of Sri Rozan Manjhi, serial No. 5 of the Annexure to the order of reference is that he has been working as a substation attendant, since 1980, but he is getting wages of category I. As per Murty award Rozan Manjhi is entitled to get wages of category IV. The union has demanded for his proper categorisation and has also claimed payment of arrears of difference between category I and category IV since 1980.

7. The case of Shri Udit Narayan Singh, Shri Jamuna Chowdhury and Shri Balkuwar Singh, serial Nos. 6, 7 & 8 respectively is that they are pump khalasi operating motor of 75 HP and they are also operating main switch of the underground. They are thus performing double duty and they are entitled to get wages of one higher category. They are getting wages of category II and as such they should get wages of category IV. The union has demanded their proper regularisation and arrears of the difference of category II and IV.

8. The case of Shri K. C. Laik, serial No. 9 of the Annexure to the order of reference is that he got promotion in category IV as electric fitter in 1978. He works on high tension wire of 250 volts to 33,000 volts whenever he is required to work on it since 1978. He had applied to the management for promotion to category V in 1982. The demand of the union is that he should be promoted to category V and he should be paid the difference of wages of category IV and V since 1978.

9. The case of Shri Ghuran Ganju, serial No. 10 of the Annexure to the order of reference is that he is working in wrong designation. Presently he is working as line mistry helper and should get wages of category II from 1981, but he is getting wages of category I only. The demand of the union is that he should get the arrear of the difference of category I and category II from 1981.

10. The case of Shri Bijulia Mahato, serial no. 11 of the Annexure to the order of reference is that he is working as haulage khalasi since 1974 but he is getting wages of category II. As per N.C.W.A.I he should get the wages of category IV as haulage khalasi and the union further demands that he should be paid the difference of wages between category II and category IV from 1974.

11. It has further been stated in the rejoinder filed on behalf of the workmen that the Industrial Dispute was first raised on 8-9-82 before the Asstt. Labour Commissioner (C) and the management filed its comments dated 1-3-83. The dispute was discussed during an enquiry held on 16-4-83 and thereafter minutes of agreement was issued to the parties containing the signature of the union representatives, management's representatives and A.L.C.(C). The management has stated in its written statement that the management has taken action for its compliance in accordance with the agreement contained in the minutes of agreement dated 16-4-83. It is submitted on behalf of the workmen that the management had not implemented the minutes of agreement and thereafter the union again approached the A.L.C.(C), Ranchi and prayed to re-open the dispute. The dispute was re-opened on 28-8-83. The dispute was in conciliation from 8-9-82 to 16-9-83 but no action was taken by the management to implement the agreement dated 16-4-83 and hence the previous agreement was not binding on the union.

12. The case of the management is that the union had earlier raised an Industrial Dispute before the A.L.C.(C), Ranchi in respect of item No. 1 of the schedule to the reference. The matter was discussed and negotiation between the parties with the intervention of A.L.C.(C), Ranchi in his presence and thereafter an agreement was arrived at on 16-4-83 which was recorded in the shape of minutes of

discussion. The A.L.C.(C) Ranchi had visited Hindgir colliery and held an enquiry and thereafter the matter was discussed between the parties leading to the agreement included in the minutes of discussion. The management had taken action in accordance with the minutes of the meeting dated 16-4-83 but the union had again approached the A.L.C.(C), Ranchi without any justification.

13. It is submitted on behalf of the management that Shri Lakhan Saw was paid difference of wages from 16-4-83 to 8-10-83 and he was regularised as welder in category V with effect from 9-10-83 and thus the agreement in respect of Shri Lakhan Saw was fully implemented.

14. In respect of Sri Misir Manjhi it was found by the management that the question of considering his case for category VI, mechanical fitter did not arise as he had not reached the maximum of category V. The management has no requirement for category VI fitter in the colliery as the coal cutting machines have been withdrawn and now there is no machine which requires highly skilled category VI, mechanical fitter. It is submitted that no workman can claim promotion as of right and promotion is subject to existence of vacancies and requirement of the management, besides selection of the workman on the basis of merit-cum-seniority. There is no substance in the demand of the union. The union cannot be permitted to resile from the agreement in the minutes and make other new demands in respect of Sri Misir Manjhi.

15. Sri Raja Ram Singh was paid arrear of wages as envisaged in the agreement and he was also regularised with effect from 9-10-83 as pump khalasi in category III. Sri Mezan Mahato was paid difference of wages from 16-4-83 to 8-10-83 and he was regularised with effect from 9-10-83. The union demanded that Sri Rozan Manjhi who was in piece-rated category should be transferred to time-rated job. He was placed in the post of fan khalasi in category II from 1-1-84. Sri Udit Narayan Singh was paid difference of wages from 16-4-83 to 8-10-83 and he was placed in the post of Sub-Station Attendant in category III from 9-10-83.

16. Sri Jamuna Choudhary was earlier a Fan Khalasi in category II. He was placed in the post of Fan Khalasi in category III with effect from 9-10-83 and he was paid difference of wages from 16-4-83 to 8-10-83. Sri Balkuwar Singh was earlier a Fan Khalasi in Category II. He was regularised as Fan Khalasi in category III from 9-10-83 and was paid difference of wages from 16-4-83 to 8-10-83.

17. Sri K. C. Laik is presently an electrician in category IV. His case can be considered for higher category subject to his obtaining Wireman's Permit for medium tension and high tension. He did not produce any such certificate and as such, his case was not considered for promotion in the higher category V.

18. Sri Ghuran Ganju was placed in the post of Line Mazdoor Category III with effect from 9-10-83 and he was paid difference of wages from 16-4-83 to 8-10-83. Sri Bijulia Mahato was previously a time-rated Trammer in category III. His designation was to be changed to Haulage Tugger Khalasi. His designation was accordingly changed from 1-1-83.

19. On the basis of the above it has been submitted on behalf of the management that the agreement dated 16-4-83 has been fully implemented. Although no specific date was stated in the agreement from which the benefit or placement in higher category would be given, the management gave effect to the benefits contemplated in the agreement without any time lag and the placement was done as soon as the sanction of the competent authorities.

20. In respect of Item No. 2 of the schedule to the order of reference the case of the management is that the concerned workman Shri Munna Gore has already been transferred to Raihara Colliery as contemplated in Item No. 2 of the minutes of discussion dated 16-4-83 and nothing more now remains to be done in respect of the said Item No. 2 of the minutes of discussion. It has been submitted that in view of the implementation of the agreement now there is no justification for the demands involved in both

the items of the reference and the concerned workmen are not entitled to any relief.

21. The points for considerations are (1) whether the concerned workmen have been given proper designation/category and arrears, and (2) whether Sri Munna Gope has been transferred.

22. The management have examined one witness, namely, Sri A. C. Seth, Project Officer of Hindgir Colliery. The workmen have examined six witnesses in support of their case. Besides that the management have produced documents which have been marked Exts. M-1 to M-7 series. The workmen have produced documents which have been marked Exts. W-1 to W-3.

23. The management have produced Ext. M-1 which is admittedly the photo copy of the settlement dated 16-4-83 between the management of Hindgir Colliery and the union which has raised the dispute and has contested the present reference on behalf of the concerned workmen. It will appear from the rejoinder filed on behalf of the workmen itself that when the union raised the dispute before the A.L.C.(C), Ranchi the management appeared and filed its comments and that thereafter the A.L.C.(C) made enquiry at the spot and thereafter discussed the matter between the union and the management representatives and thereafter an agreement was arrived at which was included in the form of minutes of discussion. Thus this document Ext. M-1 is almost an admitted document. It is stated on behalf of the union that as the matters in the minutes were not implemented by the management, the union again raised their dispute before the A.L.C.(C), Ranchi. The case of the management, on the other hand, is that they have implemented all the items of the said minutes and that some time was taken to obtain the necessary orders from the authorities. In view of the fact that the union representative and the management had come to certain terms of settlement vide Ext. M-1 I think the same has to be adhered to by both the parties. The management, of course, had made some delay in implementing all items included in Ext. M-1 but nonetheless they claim to have implemented all the items of the said minutes. If the management had implemented the settlement arrived at between the parties there cannot be further dispute about the said matter again. Let us, therefore, see whether the management have implemented the terms of agreement included in Ext. M-1.

24. It would be easier to first deal with the second item of the schedule to the order of reference. In this item the reference is "Whether the action of the management of Hindgir Colliery of Central Coalfields Limited in not transferring back Shri Munna Gope as C.C.M. Driver is justified."

In Ext. M-1 Para 2 is the item relating to the industrial dispute which was raised on behalf of Sri Munna Gope. It is stated in Ext. M-1 that "Munna Gope shall be transferred as C.C.M. Driver in any of the project of N. K. Area by 15th of May, 1983. He is already getting category V wages." MW-1 Sri A.C. Seth who has been examined on behalf of the management has stated that transfer order was issued in respect of Sri Munna Gope, Ext. M-3 is the Office Order which shows that Munna Gope, CCM Driver, Hehde-gir has been transferred to Rajhara. It is stated that Rajhara colliery is in N. K. Area of M/s. Central Coalfields Ltd. Ext. M-4 is the Office Order which shows that Sri Munna Gope along with others of Hindgir Colliery were released with effect from 11-11-1983 and they were to report for duty at Rajhara. MW-1 also stated in his evidence that Sri Munna Gope was released and joined his duty at Rajhara Colliery. There is no evidence either of Sri Munna Gope or any other witnesses on behalf of the workmen that Sri Munna Gope has not been transferred to Rajhara Colliery. It will thus appear that the agreement arrived at between the union and the management appears to have been complied with as Sri Munna Gope has been transferred to Rajhara Colliery within N.K. Area. There is no doubt some delay in passing the order of transfer but that does not materially effect the agreement in respect of Sri Munna Gope. In view of the above now Sri Munna Gope

is not entitled to any relief and there is no question of the management in not transferring Sri Munna Gope.

25. Now we take up Item No. 1 of the schedule to the reference. It will be convenient to take the case of each workman separately.

26. The case of Sri Lakhan Saw has been dealt with in para 1 of the minutes of the discussion Ext. M-1. It is stated in Ext. M-1 that Sri Lakhan Saw shall be designated as welder category V immediately on receipt of sanction from Headquarter office for which papers have already been moved. He shall be paid difference of wages from to-day onwards for period working as welder. MW-1 has said in general that settlement in respect of all the workmen was implemented which was included in Ext. M-1 and that the arrears were accordingly paid to the workmen concerned. The said statement of MW-1 has not been belied in his cross-examination. MW-1 stated that Sri Lakhan Saw was not working as welder since 24-6-80 Ext. M-2[1] in serial no 1 shows that Sri Lakhan Saw, welder, was regularised as welder in Category V with effect from 9-10-83 as approved by the Chairman-cum-Managing Director, M/s. Central Coalfields Ltd. The service-sheet of Sri Lakhan Saw is Ext. M-7[3] which shows that he was paid difference of wages from 16-4-83 to 8-10-83. Thus it appears that the settlement in his respect was fully implemented by the management. There was no question of payment of arrears from 24-6-80 to 16-4-83 as that was not an item included in the settlement in respect of Sri Lakhan Saw. It appears, therefore, that Sri Lakhan Saw is not entitled to any other relief.

27. The case of Sri Misir Manghi is dealt in para 4 of the minutes of discussion Ext. M-1. The settlement in respect of Sri Misir Manghi is that he shall be considered for the post of Category VI fitter after checking if the workman has reached at maximum of Category V wages. This was to be done by 15-5-83. The management witness No. 1 has stated that Manghi who is in Category V has not reached the maximum of the scale of Category V. The maximum of the scale of Category V is Rs. 40/- per day. The service sheet of Sri Manghi Ext. M-6 shows that on 16-4-83 he was drawing Rs. 33.04 p. in N.C.W.A III pay scale of Rs. 26-04-1.00-40.04. It will thus appear that Sri Misir Manghi had not reached the maximum of Category V scale. Sri Misir Manghi has been examined as WW-6. He has stated that he is getting wages of Category V and that he had filed petition for wages of Category VI. He has stated in his cross-examination that he had not reached the maximum of Category V wage. He has not stated as to how he has claimed the wages of Category VI. MW-1 has stated that Sri Misir Manghi was not working as mechanical fitter in Category VI but is working as mechanical fitter in Category V. It will thus appear that as Sri Misir Manghi had not reached the maximum of the scale of Category V his case was not considered for payment of Category VI and the management did not consider him to be posted as Category VI fitter.

28. The case of Sri Raja Ram Singh is covered in para 5 of the Ext. M-1 which shows that in case of Sri Raja Ram Singh orders have already been issued to pay him difference of wages between Category II & III with effect 1-4-83. It will appear from the service sheet Ext. M-7[1] of Sri Raja Ram Singh that difference of wages has been paid for the period from 16-4-83 to 8-10-83. Sri Raja Ram Singh has been examined as WW-5. He has stated that it was agreed that he would be paid arrears from 1-1-83. As Sri Raja Ram Singh has already got the difference of wages of Category II and III from 16-4-83, it appears that the difference of wages for the period from 1-4-83 to 15-4-83 was not paid to him in accordance with the agreement in Ext. M-1. The management has not explained as to why the said difference of wages from 1-4-83 to 15-4-83 was not paid to him. Sri Raja Ram Singh in accordance with the agreement is entitled to the difference of wages of Category II and III for the period from 1-4-83 to 15-4-83 and the management must pay the said difference without further delay.

29. In case of Megan Mahato the agreement is in para 7 of Ext. M-1 which states that in his case recommendations have already been made to the Headquarter for promoting him to Category IV inter and that it will be done by the end of June, 1983. The case of Sri Megan Mahato in that written statement is that he is working as mechanical inter since 1978 in category III. MW-1 has stated in his evidence that Sri Megan Mahato is not working as mechanical inter since 1978 and thus part of his evidence was not challenged in the cross-examination of MW-1. The service sheet of Sri Megan Mahato is Ext. M-7/5 which shows that Sri Megan Mahato has been paid the difference of wages for the period from 16-4-83 to 8-10-83. Ext. M-2 is the Office Order dated 6-10-83 which shows in serial No. 7 that Sri Megan Mahato was regularised as mechanical inter in Category IV with effect from 9-10-83. He has no doubt received the difference of wages of Category III and IV from 16-4-83 to 8-10-83 but he was not regularised in Category IV by June end 1983 as stated in the settlement. Thus there has been delay in regularising him and according to the terms of the settlement he should be regularised from 1-7-83. The Office Order regularising Sri Megan Mahato with effect from 9-10-83 requires to be modified to the extent that his regularisation in Category IV should take effect from 1-7-83. With this modification his case is disposed of.

30. The case of Sri Rozon Manjhi is dealt with in para 8 of the settlement Ext. M-1 which provides that the case of Sri Rozon Manjhi would be recommended for Category II miscellaneous mazdoor. The case of Sri Rozon Manjhi in the written statement is that he was working as Sub-Station Attendant since 1980 but he was getting wages of Category I. MW-1 has stated in his evidence that Sri Rozon Manjhi was not working as Sub-Station Attendant. He has further stated that the settlement in respect of Sri Rozon Manjhi in Ext. M-1 has been fully implemented. In cross-examination he has stated that Sri Rozon Manjhi is operating a Fan of 60 HP. With reference to Coal Wage Board Recommendations, serial No. 24 at page 44 of Vol. II, it will appear that Fan Khalasi operating Fan below 75 HP are entitled to wages of Category II only. Ext. M-2/2 is the Office Order which shows that Sri Rozon Manjhi was regularised as Fan Khalasi in Category II with effect from 1-1-84. The settlement in the case of Sri Rozon Manjhi did not specify any date from which date Sri Rozon Manjhi would be regularised in Category II. There was no question of payment of any arrears to Sri Rozon Manjhi in the settlement. It is also submitted on behalf of the management that the post of Fan Khalasi in Category II fell vacant from 1-1-84 and as such Sri Rozon Manjhi was regularised as Fan Khalasi with effect from 1-1-84. In view of the above it appears that the terms of settlement in relation to Sri Rozon Manjhi has substantially been complied with.

31. The case of Sri Uditnarin Singh is dealt within, para 9 of the settlement Ext. M-1, according to which the case of Sri Uditnarin Singh was to be recommended for the post of Sub-Station Attendant. MW-1 has stated that Sri Uditnarin Singh is not performing double duties and doing the job of higher category. He has also denied that he was operating any switch underground. Ext. M-7/9 is the service-sheet of Sri Uditnarin Singh which shows that he was paid the difference of wages for the period from 16-4-83 to 8-10-83. Ext. M-2 shows in serial No. 21 that Sri Uditnarin Singh was regularised as Sub-Station Attendant in Category III with effect from 9-10-83. It is submitted on behalf of the management that as per categorisation and job description in the Coal Wage Board Recommendations the proper category for Sub-Station Attendant is Category III (Vide Serial No. 20 at page 46). There was no time limit in the settlement Ext. M-1 from which date Sri Uditnarin Singh was to be regularised as Sub-Station Attendant. It will thus be clear that the terms of settlement in respect of Sri Uditnarin Singh in Ext. M-1 has been complied with by the management.

31. The case of Sri Jamuna Choudhary and Sri Paikuwar Singh are also dealt with in para 9 of the settlement Ext. M-1 which states that there was an agreement to give the Category III wages from to-day onwards. The settlement is dated 16-4-83 and as such they were to get Category III wages from 16-4-83. The service-sheet of Sri Jamuna

Choudhary Ext. M-7/7 and Sri Balkuwar Singh Ext. M-7/6 shows that they were paid difference of wages from 16-4-83 to 8-10-83. Ext. M-2/3 is the Office Order which shows that Sri Jamuna Choudhary and Sri Balkuwar Singh were regularised in Fan Khalasi Category III Ext. M-2 is the office order which shows that Sri Jamuna Choudhary and Sri Balkuwar Singh were regularised as Fan Khalasi in Category III with effect from 9-8-83. Sri Jamuna Choudhary has been examined as MW4 and has stated that he had applied before the management for giving him wages of Category III which he got after about four months of the agreement. It will thus appear that Sri Jamuna Choudhary and Sri Balkuwar were paid their difference of wages with effect from 16-4-83 as provided in the settlement Ext. M-1.

32. The case of Sri K. C. Layak is dealt with in para 11 of the settlement Ext. M-1 which provides that he shall be considered for higher category V according to the cadre scheme and rules existing on the subject. The case of Sri K. C. Layak in the written statement is that he got promotion in Category IV in 1978 and that he is presently working in higher Category V from 1978 and as such he has claimed difference of wages of Category IV and V. The case of the management is that he is an electrician in Category IV and his case for higher category can be considered subject to his obtaining Wireman's Permit for medium tension and high tension and that as he did not produce such certificate his case for promotion in Category V was not considered. In the written statement of the union it has been stated that Sri Layak has not received the high tension certificate. The union has not refuted the assertion made by the management that the promotion of an electrician from Category IV to a higher category, the workman should have a Wireman's Permit for medium tension which is a statutory requirement. Sri Layak has examined himself as WW-1. He has stated that he passed high tension examination in 1984 and that he got the certificate of high tension on 11-6-84. It has not been asserted by WW-1 that he has produced the said certificate before the management after obtaining it. It is stated on behalf of the management that Sri Layak has not passed all the parts and that on production of the certificate his case will be considered for promotion to Category V. The management does not deny that Sri Layak will not be considered for higher Category V but the said consideration can be made only on fulfilling the condition under which a promotion can be made in Category V. The extent of implementing the terms in respect of Sri Layak will arise only on furnishing the necessary certificate. As the required certificate has not been filed by Sri Layak for consideration by the management I do not think that an order can be passed forcing the management to promote him to Category V. As the concerned workman is not working in Category V he is not entitled to difference of wages. Sri Layak therefore is not entitled to any relief.

33. The case of Sri Ghuran Ganju is dealt with in para 13 of the settlement Ext. M-1 wherein it is provided that his case has been recommended for Category II wages to the Headquarter and as such the union did not pursue the matter. MW-1 has stated in his evidence that Sri Ghuran Ganju is a line helper in Category II and that he is not in Category IV. It will appear from serial No. 35 of Ext. M-2 that Sri Ghuran Ganju was regularised as line mazdoor in Category II from 9-10-83. His service sheet Ext. M-7/2 also shows that an entry has been made in it that he was placed in Category II with effect from 9-10-83. Although the union had not pursued the dispute in respect of Sri Ghuran Ganju the management has already regularised him in Category II.

34. The case of Sri Bijulia Mahato is dealt with in para 14 of the settlement Ext. M-1 which provides that the case of Sri Bijulia Mahato was recommended for Category III Haulage Khalasi (for change of designation). Sri Bijulia Mahato examined himself as WW-3. He has stated that since 1974 he is working as haulage khalasi and that he had got authorisation from the management to work as haulage khalasi HP. He has exhibited the same as Ext. W-3. He has further stated that he works in a haulage of 68 MW-1 has stated Sri Bijulia Mahato was a Trammer and he was not working as Haulage Khalasi since 1974. It is submitted on behalf of the management that the authorisation Ext. W-3 was a temporary authorisation to enable Sri Bijulia Mahato to work now and then as haulage khalasi. A haulage khalasi

operating haulage below 75 HP is entitled to Category III as per recommendation of the Coal Wage Board Recommendations in serial No. 7 at page 45. The service sheet of Sri Bijulia Mahato is Ext. M-7/4 which shows that he was a Trammer in Category III and his designation was changed to Tugger Khalasi in Category III from 1-3-83. Ext. M-2/4 is the Office Order which shows that Sri Bijulia Mahato was regularised as Tugger Khalasi in Category III with effect from 9-10-83. It will thus appear that the terms of settlement in respect of Sri Bijulia Mahato has been complied with in as much as his designation was changed to haulage khalasi in Category III and there is nothing left to be implemented.

35. Considering the individual cases as above it will appear that the management has implemented the terms of the settlement Ext. M-1 except that the same was not implemented within the time specified in respect of some of the concerned workmen, but in cases of others the terms of settlement were fully implemented. The management to implement the terms of settlement in respect of some of the concerned workmen as indicated in their specific cases discussed above.

36. In view of the above I hold that the management of Hindgir Colliery of M/s. Central Coalfields Limited has substantially implemented the terms of settlement which was arrived at between the parties before the A.L.C.(C), Ranchi and have paid the arrears and as such, there is no question of not giving proper designation/category and arrears accruing to the concerned workmen. I further hold that Sri Munna Gope has already been transferred and as such there is no question that the action of the management is unjustified.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-20012(240)/83-D. III(A)]
A.V.S. SARMA, Desk Officer

नई दिल्ली, 15 मार्च, 1985

का. आ. 1341.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मोहन मेटल इंडस्ट्रिज, इंडस्ट्रियल एस्टेट, बेसगाँव, कर्नाटका नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निर्धि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35018(93)/85/एसएस-2]

New Delhi, the 15th March, 1985

S.O. 1341.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mohan Metal Industries, Industrial Estate, Belgaum, Karnataka have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018/93/85-SS-III]

का. आ. 1342.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ए. जे. ब्रादर्स (प्रा.) लि. 6-ए राजा सुबीध मुलिक स्केयर, कलकत्ता-700013 नामक स्थापन के

सम्बद्ध नियोजक और कर्मचारियों का बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निर्धि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस.-35017/25/85/एसएस-2]

S.O. 1342.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. A. J. Brothers Private Limited, 6-A, Raja Subodh Mullick, Square, Calcutta-700013, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017/25/85-SS-II]

का. आ. 1343.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दो कर्नाटका स्टेट को-ऑपरेटिव स्पनिंग मिल्स फ़ेडरेशन लिमिटेड, फ्लैट नं. 101, फ़र्स्ट फ्लोर, उषा किरान अपार्टमेंट नं. 25, हाऊसिंग रोड, (उलसूर रोड) बंगलूर-560042 कर्नाटका नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों का बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निर्धि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/92/85/एसएस-2]

S.O. 1343.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. The Karnataka State Co-operative Spinning Mills Federation Limited, Flat No. 101, First Floor, Usha Kiran Apartment, No.25, Handin Road, (Ulsoor Road) Bangalore-560042, Karnataka have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/92/85-SS-II]

का. आ. 1344.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स शालनी ब्रादर्स प्रा. लि. 3641, गली लोहेवाली, बावड़ी बाजार, दिल्ली-6 और शाखाएँ (i) 88-89, सुरत सदन सुरत गली, दानाबंदर, बम्बई-9(ii) सेंट्रल मिल्स ओल्ड रेलवे रोड जालंधर भीट्टी-1(iii) 78/53,

लाटोच रोड पो. बो. नं. 348, कानपुर और (4) 67ए, नेताजा सुभाष रोड पो. बो. नं. 982 ब्राउड फ्लोर, कलकत्ता।
1. नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों का बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/94/85/एस एस-2]

S.O. 1344.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Jhalani Brothers Private Limited, 3641, Gali Lohewali, Chawari Bazar, Delhi-6 including branches at (1) 88-89, Surat Sadan, Surat, Street. Dena Binder, Bombay-9 (2) Central Mills, Old Railway Road, Jullunder City-1 (3) 78-53, Latouche Road, P. B. No. 348, Kanpur-1 (4) 67-A, Netaji Subhash Marg, P.B. No. 982, Ground Floor, Calcutta-1 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/94/85-SS-II]

का.आ. 1345.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के. एस. शेटी एंड कम्पनी, 222, डाक्टर नान्जापारा रोड, कोइंबटूर-641018, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/95/85/एस एस-2]

S.O. 1345.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. K. S. Shetty and Company, 222, Dr. Nanjappa Road, Coimbatore-641018, Tamil Nadu have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/95/85-SS-II]

का.आ. 1346.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गोदावरी एंटरप्राइज लि., 19, के. एम.,

मथुरा रोड, फरीदाबाद (हरियाणा) और 3, देशबन्धु गुप्ता रोड, नई दिल्ली-55 स्थित, रजिस्टर्ड आफिस निहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/96/85/एस एस-2]

S.O. 1350.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Godavari Enterprises Limited, 19, K. M. Mathura Road, Faridabad (Haryana) including its Registered Office at, 3 Deshbandhu Gupta Road, New Delhi-110055 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/96/85-SS-II]

का.आ. 1347.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दी लुधियाना स्टॉक एक्सचेंज एसोसिएशन, लिमिटेड, लाजपतराय मार्केट, नियर क्लॉक टावर, लुधियाना-141008 (पंजाब) नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/97/85/एस एस-2]

S.O. 1347.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. The Ludhiana Stock Exchange Association Limited, Lajpat Rai Market, Near Clock Tower, Ludhiana-141008, Punjab have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/97/85-SS-II]

का.आ. 1348.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स शाह टेक्स्टाइल मिल्स प्रा. लि. 72-बी. जी. आई. डी. सी. इस्टेट, वातवा जिला अहमदाबाद (गुजरात) और हेड ऑफिस 114/16, जावरी बाजार, बम्बई में स्थित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/98/85-एस एस-2]

S.O. 1348.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Shah Textile Mills Private Limited., 72-B. G. I. D. C. Estate, Vatva, District Ahmedabad (Gujarat) and Head Office at 114/16, Zaveri Bazar, Bombay-400002, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/98/85-SS-II]

का.आ. 1349.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विशाल नाइटिंग इंडस्ट्रीज 2557, मेन बाजार, तेली-वाडा सदर बाजार, दिल्ली-6, और फैक्ट्री बी-54, वजीरपुर इंडस्ट्रियल एरिया, दिल्ली-52 में स्थित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/99/85/एस एस-2]

S.O. 1349.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Vishal Knitting Industries, 2557, Main Bazar, Teliwara, Sadar Bazar Delhi-6 including Factory at B-54, Wazirpur Industrial Area, Delhi-110052 have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/99/85-SS-II]

का.आ. 1350.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बेदी एंड को (रजिस्टर्ड टेल्स) एस-61/2 कनाट प्लेस, नई दिल्ली-110001 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/100/85-एस एस-2]

S.O. 1350.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bedi and Company (Registered Tailors), M-61/2, Connaught Place, New Delhi-110001, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/100/85-SS-II]

का.आ. 1351.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स त्रिवेणी प्लेन्टी इंजीनियरिंग लि. कैलाश मैकेंड फ्लोर-26, कस्तूरबा गांधी मार्ग, नई दिल्ली-110001 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/101/85/एस एस-2]

S.O. 1351.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Triveni Plenty Engineering Limited, Kailash 2nd Floor, 26-Kasturba Gandhi Marg, New Delhi-110001, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/101/85-SS-II]

का.आ. 1352.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम. सी. जे. प्लास्टिक (प्रा.) लि., 70, नजफगढ़ रोड (रामा मार्ग), नई दिल्ली-15 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/102/85-एस. एस.-2]

S.O. 1352.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. S. J. Plastics Private Limited, 70, Najafgarh Road (Rama Marg), New Delhi-110015, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/102/85-SS-II]

का.आ. 1353.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स युनिक्स प्रैम प्रा. लि. 106, रोहित हाउस, 3, टॉलस्टॉय मार्ग, नई दिल्ली-1 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/103/85-एस. एस.-2]

S.O. 1353.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Uniexpress Private Limited, 106, Rohit House, 3, Tolstoy Marg, New Delhi-110001, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/103/85-SS-II]

का.आ. 1354.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दो कर्नाटका टैक्स्टाइल मिल्स, एसोसिएशन, 64, चौथा मैज, 18वां क्रॉस, मालेसवरम, बंगलूर-560003, कर्नाटका नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/104/85-एस. एस.-2]

S.O. 1354.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. The Karnataka Textile Mills Association, 64 4th Main, 18th cross, Malleswaran, Bangalore-560003, Karnataka have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/104/85-SS-II]

का.आ. 1355.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रगति फेब्रिकेटर्स एम. आई. जी.-II बी-89, गोलापालेम, विशाखापटनम, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/105/85/एस. एस.-2]

S.O. 1355.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Paragathi Fabricators, MIG-II-B-89, Gollapalem, Visakhapatnam, Andhra Pradesh, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/105/85-SS-II]

का.आ. 1356.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के. एस. जेटी एंड कंपनी, म्यूजिक मेटर, 42 स्टेट बैंक रोड, कोडम्बटूर-641018, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/106/85-एस. एस.-2]

S.O. 1356.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. K. S. Shetty and Company, Music Centre, 42, State Bank Road, Coimbatore-641018, Tamil Nadu have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/106/85-SS-II]

का. अ. 1357:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स महावीर इंडस्ट्रीज (राइस मिल्स), कुशतागो रोड, सिंधनूर, रायचूर डिस्ट्रिक्ट कर्नाटका नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/107/85-एस. एस-2]

S.O. 1357.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mahaveer Industries. (Rice Mills) Kushtagi Road, Sindhenur, Raichur district Karnataka have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/107/85-SS-II]

का. अ. 1358:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स स्पेसऐज प्रोडक्ट्स लि., 19, के. एम., मयूरा रोड फरीदाबाद (हरियाणा) और 3 देशबंधु गुप्ता रोड, नई दिल्ली-53 स्थित उसके रजिस्टर्ड आफिस सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/108/85-एस. एस-2]

S.O. 1358.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Spaceage 1704 GI/84—16

Products Limited, 19, K. M. Mathura Road, Faridabad (Haryana) including its Registered Office at 3, Deshbandhu Gupta, Road, New Delhi-55 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/108/85-SS-II]

का. अ. 1359:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स व्यवसाय सेवा सहकार संघ निवामिथा एम. बी. अयानहल्ली पोस्ट, कुदलीगो बेलारी डिस्ट्रिक्ट कर्नाटका, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/109/85-एस. एस-2]

S.O. 1359.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Vyavasaya Seva Sahakar Sangha, Nivamitha, M. B. Ayyanahalli Post, Kudligi Tq Bellary District, Karnataka, have agreed that the provision of the Employees' Provident Fund and Miscellaneous provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No. S-35019/109/85-SS-II]

का. अ. 1360:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मितरी मैकेनिकल इंजीनियरिंग कम्पनी (विजाग) प्लॉट नं. 244, ब्लॉक-डी, आई. डी. ए., विशाखापटनम-12, आन्ध्रा प्रदेश, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/110/85-एस. एस.-2]

S.O. 1360.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mytri Mechanical Engineering Company (Vizag) Plot No. 244, Block-D, I. D. A., Visakhapatnam-530012, Andhra Pradesh, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/110/85-SS-II]

का. आ. 1361 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बनकटलाल, बूब एण्ड कम्पनी, काटन मर्चेण्ट्स, 68, राजेन्द्रा गंज, रायचूर-584101 कर्नाटका और उसकी शांख (1) आलमगोडगे प्लेस, बेलरी (2) अशोक-नगर, भन्तूर, अन्ध्रा प्रदेश सहित, नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/111/85-एस. एस-2]

S.O. 1361.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bankatlal Boob and Company, Cotton Merchants, 68, Rajendra Gunj, Raychur-584101, Karnataka including its branches at (i) Allamgodage place, Bellary (ii) Ashok Nagar Guntur, Andhra Pradesh have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/111/85-SS-II]

का. आ. 1362 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वैशाली, 1773, केलकारबाग, बेलगाम-590002, कर्नाटका नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/112/85-एस. एस-2]

S.O. 1362.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Vaishali 1773, Kalkarbag, Belgaum, 59002, Karnataka have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

ment hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/112/85-SS-II]

का. आ. 1363 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ओसीएनिक कार्गो ट्रेसर एण्ड प्रोटेक्टर्स कार्पोरेशन, 30, ऐराबालु चेट्टी स्ट्रीट फ्लोर, मद्रास-600001, तमिलनाडू, नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/113/85-एस. एस-2]

S.O. 1363.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Oceanic Cargo Tracers and Protectors Corporation, 30, Errabalu Chetty Street, 1st Floor, Madras-600001, Tamil Nadu have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/113/85-SS-II]

का. आ. 1364 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कलर क्राफ्ट, के.आर.आर. पेरियाथोटम, मंगलम रोड, करुवामपालायम, तिरुपूर-638604, तमिलनाडू, नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/114/85 एस. एस-2]

S.O. 1364.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Colour Kraft, K. R. R. Periahtottam, Mangalam Road, Karuvampalayam, Tirupur-638604, Tamil Nadu have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/114/85-SS-III]

का.आ. 1365.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स के.यू. सकारिया एण्ड कम्पनी, VI/101, ज्यू टाउन, मटानचैरी विन्ध, कोचिन तालुक, कोचिन-2 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारों भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(115)/85-एस.एस.-2]

S.O. 1365.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. K. U. Scaria and Company, VI/101, Jew Town, Mattancherry Village, Cochin Taluk, Cochin-2 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/115/85-SS-II]

का.आ. 1366.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स व्यवसाय सेवा सहकारी संघ नियामिथा, रामावर्गा पोस्ट, कुदलीगी तालुक, बेअरी डिस्ट्रिक्ट, कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारों भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(116)/85-एस.एस.-2]

S.O. 1366.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Vyavasaya Seva Sahakara Sangha Niyamitha, Ramadwrga Post, Kudligi Taluk, Ballary District, Krnataka have agreed that the Provisions Act, 1952 (19 of 1952), should be made applicable Provision of the Employees' Provident Fund and miscellaneous to the said establishment;

Now, therefore in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/116/85-SS-II]

का.आ. 1367.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स विमल शो रूम, अराधना, एच. नं. 6-1-138, एम जी रोड, कोठागुडम, खम्मम डिस्ट्रिक्ट, आन्ध्र प्रदेश

नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारों भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(117)/85-एस.एस.-2]

S.O. 1367.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Vimal Show Room, Aradhana, H. No. 6-1-138, M. G. Road, Kothagudem, Khammam District, Andhra Pradesh, have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No.S-35019/117/85-SS-II]

का.आ. 1368.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स दी गेडोरे एम्प्लोईज प्राइमरी कोओपरेटिव कन्ज्यूमर्स स्टोर लिमिटेड, 1-2, न्यू इण्डस्ट्रियल एरिया, फरीदाबाद, हरियाणा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारों भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(118) 85-एस.एस.-2]

S.O. 1368.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. The Gedore Employees Primary Co-operative Consumers Store Limited, 1-2, New Industrial Area, Faridabad, Haryana have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/118/85-SS-II]

नई दिल्ली, 18 मार्च, 1985

का. आ. 1369.—मैसेर्स यू. पी. स्टेट हैडलूम कारपोरेशन लि., हथकरघा भवन, जी. टी. रोड, कानपुर (यू. पी./5115), (जिसे इसमें इसके पश्चात् उक्त स्थापन

कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहवद्ध बीमा स्कीम, 1976 (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, उत्तर प्रदेश को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभारों संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, संस्थान के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है, तो नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है तो कर्मचारी की उस दशा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विविध वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि, आयुक्त, उत्तर प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो वह रकम की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत करें, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रकम की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में उन मृत सदस्यों के नाम निर्देशितियों या विविध वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विविध वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

New Delhi, the 18th March, 1985

S.O. 1369.—Whereas Messrs. U.P. State Handloom Corporation Limited, Hathkargha Bhawan, G. T. Road, Kanpur (UP/5115) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Uttar Pradesh and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Schedule are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Uttar Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premiums etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium and responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014(55)/85-SS-IV]

कां० आ० 1370.—मैसर्स के० बी० इलेक्ट्रोनिक्स कें०-59, नैनी इंडस्ट्रियल एरिया, डाकघर करसारा, करचना, इलाहाबाद-211014 (उत्तर प्रदेश) उ० प्र०/11185 (जिसे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों में अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, कानपुर को ऐसी विवरणियां भेजेगा और लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) खण्ड (क) के अधीन समय समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभागों संदाय आदि भी हैं, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का [अनुवाद, संरक्षण के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है, तो नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती, अब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधिवक वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, कानपुर के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन में कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो वह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत

करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यक्तिगत दशा में उन मृत सदस्यों के नाम निर्देशितियों या विधिवक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिवक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[संख्या एस- 35014 / 79/85-एस एस-4]

S.O. 1370.—Whereas Messrs. K. V. Electronics, K-59, Naini Industrial Area, P. O. Kharsara, Karchana, Allahabad-14 (Uttar Pradesh)-(UP/11185), (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Kanpur and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him

as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Schedule are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Kanpur and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium and responsibility for payment of Insurance Corporation of India, and the policy is allowed to deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014/79/85-SS.IV]

का. आ. 1371.—मैसर्स हिन्दुस्तान सेफटी ग्लास वर्क्स लि., जी टी रोड, बामरोली, इलाहाबाद (यू. पी. 3985) (जिसे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसके पश्चात उक्त स्कीम कहा गया है) के अधीन उन्हें अनुश्रेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपायुक्त अनुसूची में विनिर्दिष्ट गतों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देता है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, उत्तर प्रदेश का ऐसी विवरणिया भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभागों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभागों संदाय आदि भी हैं, होने वाले सभी व्ययों का बहुत नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुसूचित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, संस्थान के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है, तो नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी वास्तव आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीमा के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुश्रेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी को मृत्यु पर इस स्कीम के अधीन संदेह रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेह होती, जब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधिवत बरिस/नाम निर्देशित को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि, आयुक्त उत्तर प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने या व्यक्तिगत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो वह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यवधान हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यक्तिगत दशा में उन मृत सदस्य के नाम निर्देशनियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजन पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हक्दार नाम निर्देशनियों/निधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[सं. एस- 35014/57/85-एस एस-4]

S.O. 1371.—Whereas Messrs. Hindustan Safety Glass Works Limited, G. T. Road, Bamrauli, Allahabad (UP/3985) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Uttar Pradesh and maintain such accounts and

provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Uttar Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premiums etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium and responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(57)/85-SS-IV]

का. आ. 1372.—मैसर्स लोहिया मशीन्स लि., सी-3-4, पनकी इंडस्ट्रियल एस्टेट कानपुर- 208022 उत्तर प्रदेश (यू. पी./5157) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुश्रेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापना को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, कानपुर ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निदिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभागों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय समय पर निदिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभागों संदाय आदि भी हैं, होने वाले सभी व्ययों का बहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, संस्थान के मूखना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है, तो नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज

करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुश्रेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए, भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबंधों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, कानपुर के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नामनिर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम के बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस- 35014/56/85-एस. एस-4]

ए. के. भट्टारार्थ, अवर सचिव।

S.O. 1372.—Whereas Messrs. Lohia Machines Limited, C 3-4, Panki Industrial Estate, Kanpur-208022 (Uttar Pradesh) (UP/5157) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Kanpur and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Kanpur and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9 Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance

Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium and responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the Employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014(56)/85-SS-IV]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 18 मार्च, 1985

का.आ. 1373.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, ओरियंटल बैंक आफ़ कोमर्स, नई दिल्ली के प्रबंधक से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1 मार्च, 1985 को प्राप्त हुआ था।

New Delhi, the 18th March, 1985

S.O. 1373.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the Oriental Bank of Commerce, New Delhi and their workman, which was received by the Central Government on the 1st March, 1985.

BEFORE SHRI O. P. SINGLA PRESIDING OFFICER
CENTRAL GOVT. INDUSTRIAL TRIBUNAL NEW
DELHI.

I.D. No. 52/84.

In the matter of dispute between :

Mr. Ranvir Singh, r/o WZ-375, Basai Darapur, New Delhi-15 through. The General Secretary, Oriental Bank Workers Union, F-12/18, Krishna Nagar, Delhi.

Versus

Oriental Bank of Commerce, New Delhi.

APPEARANCES :

Shri Ranjan Gopal Gen. Secretary, Oriental Bank Workers Union for workman.

Shri S. N. Bhatnagar—for the Management.

AWARD

Central Government, Ministry of Labour on 26-6-84 vide No. L-12012/1/84-D.IV(A) made reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Oriental Bank of Commerce, New Delhi, in relation to their Kirti Nagar Branch in not taking into account the temporary service of Shri Ranvir Singh Clerk-cum-Cashier referred during the period from 12-11-1970 to

13-7-1971 as part of his probationary period is justified? If not, to what relief is the workman concerned entitled?"

2. Mr. Ranvir Singh worked with the Oriental Bank of Commerce, Kirti Nagar Branch, New Delhi from 12-11-70 to 13-7-71 in temporary capacity as under :

From 12th Nov. 70	19 Days	
Dec. 70	31	} --Full month
Jan. 71	21	
Feb. 71	19	
March 71	10	
April, 71	4	
May, 71	14	
June, 71	15	
July, 71	13	
	156 Days	

3. The workman's case is that he was appointed in permanent vacancy for 156 days from 12-11-70 to 13-11-71 with understanding that he will introduce/procure certain amount of deposits during the said period which will then mean his absorption in regular cadre. He introduced about 6.95 lacs of rupees deposits during the said service and the bank issued him a regular appointment letter No. HO/P&S/2/83 dated 22-7-71 appointing him on regular basis. He refers to first paragraph of the letter as under :—

"With reference to your application for employment in the Bank and subsequent interview and because of your having already secured deposits of Rs. 6.95 lacs at the Kirti Nagar, New Delhi branch and on your assurance that you will secure further stable deposits of over Rs. 3 lacs for the Bank during period of probation and will continue to secure further deposits for the Bank thereafter, you are appointed as Clerk-cum-Cashier in the Bank on the following terms and conditions."

4. The workman's Contention is that his temporary and permanent service periods are interlinked and he cannot be denied advantage of 156 days of temporary service by him and he wants relief in terms of para 20.8 of Bipartite Settlement dated 19-10-66 by counting the period in his regular service.

5. The Management contested the claim and asserted that the appointment of the workman during the said period was only temporary against leave vacancy/temporary increase of work from time to time and he is not entitled to benefit of Clause 20.8 of the Bipartite Settlement.

6. The matter has been tried. Written arguments of the parties on record have been perused.

7. The relevant para 20.8 of the Settlement dated 19-10-66 is in the following terms:—

"Para 20.8 of Settlement dated 19-10-66 :—

"A temporary workman may also be appointed to fill a permanent vacancy provided that such appointment shall not exceed a period of three months during which the bank shall make arrangements for filling up the vacancy permanently. If such a temporary workman is eventually selected for filling up the vacancy, the period of such temporary employment will be taken into account as part of his probationary period."

8. The workman relies upon its interpretation by the Industrial Tribunal at Jaipur in case No. CIT-8 of 1975 between Punjab National Bank Jaipur Region and its workman Shri N. K. Soni published in Gazette of India, Part II Section 3(ii) dated 25-2-78 pages 601 to 605 and the following extract therefrom is relied upon :—

".....As a general rule, the temporary employment is not counted and is not taken into account as part

of the probationary period. The provisions contained in Para 20.8 make a departure from this general rule. This para introduces a legal fiction that if a temporary workman is eventually selected, for filling up the permanent vacancy, the period of temporary employment will be taken into account as part of probationary period. Shri N. K. Soni was selected to fill up the permanent vacancy in a competitive test held on 11-6-68. Before that he was a temporary employee since 2-12-65. By virtue of provisions contained in Para 20.8 Shri N. K. Soni is entitled to contain that the period of his temporary employment since 2-12-66 should be taken into account as part of his probationary period.....

9. In contrast, the Management relies upon the interpretation of the same para of the Bipartite Settlement by the Central Government Industrial Tribunal at Jabalpur in its Award dated 17-9-84 in the matter of dispute between the same employer Bank of Maharashtra and Shri A. S. Herkar and his Union and the following extract from that Award of the G.C.I.T. is quoted :

"5. It would appear that paragraph 20.8 is not exhaustive of all the situation nor could it be said that the restrictions mentioned in paragraph 20.8 are so stringent that when no appointment could be made by the Bank within a period of 3 months, it loses its power to make any temporary appointment on that post. If the Bank is unable to appoint a permanent incumbent on a permanent post within 3 months, it is not devoid of power to appoint a man temporarily on that post to carry on the work of the Bank. These clauses of the settlement have to be reasonably construed to subserve the intention of the parties. We cannot lose sight of the fact that we are not constructing an enactment but the apply here. I am, therefore, of the opinion that paragraph 20.8 reasonably construed is not exhaustive nor it places a ban on the Bank to appoint a temporary hand once the period of 3 months is over. Such appointment when made would not be in violation of the settlement. There may be cases which fall outside the clauses. This is not to say that the provision of settlement under paragraph 20.8 could be circumvented by deliberately not appointing a person within 3 months on the permanent post. In such cases we have to see whether the Bank was trying to over-reach the provisions of paragraph 20.8 but when it was faced with the difficulty in that it was not getting a suitable person within a period of 3 months, it could in the interest of the Bank, so that the work may go on, make such ad-hoc appointment as was deemed expedient."

6. "The word 'the bank shall make arrangement for filling the vacancy' in paragraph 20.8 are instructive and imperative and expect that the Bank would make an appointment within 3 months. But as I pointed out above, it may be no fault of the Bank that such appointment could not be made without 3 months and for the exigencies of the work another adhoc appointment has to be made. Now if the adhoc appointee is the same who was earlier temporarily appointed, the question arises whether the total period of service under more than one appointments by such an employee has to be taken into account as part of his probationary period or any lesser period. Paragraph 20.8 lays emphasis that the temporary appointments cannot be made for more than 3 months and secondly the Bank must appoint the permanent incumbent within this period. Therefore, in computing the total period of employment of a temporary employee serving for the second time in such a situation would be wholly repugnant to the intention of paragraph 20.8. What would count towards his probationary period in such a situation would be the period of service rendered by him in the first instances which should not in any case exceed 3 months. The second employment was made in a situation which could not be covered by paragraph 20.8 but was contractual and will be governed by the terms of contract made in this regard such a contract not being inconsistent with paragraph 20.8. I am, therefore, of the view that, though it may be permissible to count the period of first employment of such temporary workman towards the part of his probationary period it may not be permissible to count the period of employment of the temporary employee made subsequently

during which period the vacancy on the permanent post remained unfilled when the total period exceeded three months. Since paragraph 20.8 permits appointments of a temporary employee for a maximum period 3 months, this could be fixed as the limit for the period of employment which can be taken into account in the probationary period. Therefore, where there is an employee who has served for two terms or more as temporary employee on a permanent vacancy, the maximum period of service that could count towards probationary period would be 3 months. We may proceed to determine the rights of the parties in this case."

10. I prefer the interpretation placed by the Central Government Industrial Tribunal at Jabalpur in the Award dated 17-9-84 for the reasons mentioned therein. Management is directed to count his service from May to July, 1971 for the purposes of permanent service. As such the workman is entitled to partial relief and the Management's action is only partly justified. The Award is made accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

February 25, 1975.

O. P. SINGLA, Presiding Officer
[No. L-12012(1)/84-D.IV(A)]

आदेश

का.आ. 1374 :—स्टेवडोरेस/क्लीयरिंग एंड फोरवार्डिंग एजेंट्स कांटेक्टर्स के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों जिनका प्रतिनिधित्व अध्यक्ष, पारादीप पोर्ट एंड डाक मजदूर यूनियन पारादीप पोर्ट करती है, के बीच एक औद्योगिक विवाद विद्यमान है;

और उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को माध्यस्थ के लिए निर्वेशित करने का करार कर लिया है और उक्त माध्यस्थ करार की एक प्रति केन्द्रीय सरकार को भेजी गई है;

अतः अब उक्त अधिनियम की धारा 10-क की उपधारा (3) के अनुसरण में केन्द्रीय सरकार उक्त माध्यस्थ करार को एतद् द्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम :

1. सभी क्लीयरिंग और फोरवार्डिंग एजेंट्स/स्टेवडोरेस/डेकेदार/पारादीप पोर्ट ट्रस्ट, मुकाम और डाकघर पारादीप पोर्ट, जिला कटक, उड़ीसा
2. पारादीप पोर्ट एंड डाक मजदूर यूनियन मुकाम बड़ापाडिया, डाकघर पारादीप, जिला कटक, उड़ीसा।

नियोजकों का प्रतिनिधित्व करने वाले :

1. श्री वाई. सिंह, फील्ड आफिसर, वी उड़ीसा स्टेट कामर्शियल ट्रांसपोर्ट कारपोरेशन, लिमिटेड।
2. श्री एल.एम. हाटी, मालिक मैसर्स एल.एम. हाटी एंड कम्पनी।
3. श्री पी. के. हाटी, प्रबंधक मैसर्स उड़ीसा स्टेवडोरेस प्राइवेट लिमिटेड।
4. श्री बलराम खन्तिया, प्रबंधक, मैसर्स टी. पी. राय चौधरी एंड कम्पनी प्राइवेट लिमिटेड और अध्यक्ष, पारादीप पोर्ट स्टेवडोरेस एसोसिएशन, पारादीप पोर्ट।
5. मैसर्स महीम नन्दा मिश्रा।
6. मैसर्स जे. एम. बक्षी एंड कम्पनी।
7. मैसर्स ई. सी. बोस एंड कम्पनी प्राइवेट लिमिटेड।
8. मैसर्स एस. सी. दास एंड कम्पनी।
9. मैसर्स राय एंड चटर्जी एंड कम्पनी।

कर्मचारों का प्रतिनिधित्व करने वाले

1. श्री जी. एस. जैना, अध्यक्ष पारादीप पोर्ट एंड डाक मजदूर यूनियन।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को सर्व/श्री पी. डी. शोणे मुख्य श्रमायुक्त (केन्द्रीय), एच. जी. भावे, उप मुख्य श्रमायुक्त (केन्द्रीय), श्रम शक्ति भवन, नई दिल्ली के माध्यस्थ के लिए निर्देशित करने का करार किया गया है।

1. विनिर्दिष्ट विवादग्रस्त विषय :—

- (1) असूचीबद्ध श्रमिकों को मकान किराया भत्ते की राशि।
- (2) तारीख 4-1-1981 और 11-4-1984 को हुए राष्ट्रीय मजदूरी समझौतों की शर्तों के अनुसार असूचीबद्ध श्रमिकों को मजदूरी की अदायगी।
- (3) नौभार हँडल करने वाले असूचीबद्ध श्रमिकों की दैनिक मजदूरी की गणना करने का तरीका।
- (4) नौभार हँडल करने वाले असूचीबद्ध श्रमिकों को उपस्थिति भत्ते की अदायगी।

2. विवाद के पक्षकारों का विवरण जिसमें अंतर्बलित स्थापन या उपक्रम नाम और पता भी सम्मिलित है।

- (1) उड़ीसा स्टेट कॉमर्शियल ट्रांसपोर्ट कार्पोरेशन लिमिटेड, स्टेवडोरस/ठेकेदार/क्लीरिंग एंड फार्वर्डिंग एजेंट, पारादीप पोर्ट, डाकघर पारादीप पोर्ट, जिला कटक (उड़ीसा)।
- (2) मैसर्स एल. एम. ह्याट्टी एंड कम्पनी, पारादीप पोर्ट, पर स्टेवडोरस ठेकेदार, डाकघर पारादीप पोर्ट,
- (3) मैसर्स उड़ीसा स्टेवडोरस प्राइवेट लिमिटेड, पारादीप पोर्ट पर ठेकेदार/क्लीरिंग एंड फार्वर्डिंग एजेंट/स्टेवडोरस, डाकघर पारादीप पोर्ट, जिला कटक (उड़ीसा)।
- (4) मैसर्स टी. पी. राय चौधरी एंड कम्पनी प्राइवेट लिमिटेड पारादीप पोर्ट पर स्टेवडोरस/ठेकेदार/सी. एफ. एजेंट, डाकघर पारादीप पोर्ट, जिला कटक (उड़ीसा)।
- (5) मैसर्स महिषानन्द मिश्रा, पारादीप पोर्ट पर स्टेवडोरस/ठेकेदार/सी. एफ. एजेंट, डाकघर पारादीप पोर्ट, जिला कटक (उड़ीसा)।
- (6) मैसर्स जे. एम. बक्शी एंड कम्पनी, पारादीप पोर्ट पर स्टेवडोरस/ठेकेदार/सी. एफ. एजेंट, डाकघर पारादीप पोर्ट, जिला कटक, उड़ीसा।
- (7) मैसर्स ई. सी. बोस एंड कम्पनी (प्राइवेट लिमिटेड), पारादीप पोर्ट पर स्टेवडोरस/ठेकेदार/सी. एफ. एजेंट, डाकघर पारादीप पोर्ट, जिला कटक, उड़ीसा।
- (8) मैसर्स एम. सी. दास एंड कम्पनी, पारादीप पोर्ट पर स्टेवडोरस/ठेकेदार/सी. एफ. एजेंट, डाकघर पारादीप पोर्ट, जिला कटक, उड़ीसा।
- (9) मैसर्स रार चटर्जी एंड कम्पनी, पारादीप पोर्ट पर स्टेवडोरस/ठेकेदार/सी. एफ. एजेंट, जिला कटक (उड़ीसा)।
- (10) पारादीप पोर्ट एंड डाक मजदूर यूनियन, मकाम बड़ापाड़िया, डाकघर पारादीप पोर्ट, जिला कटक (उड़ीसा)।

(3) कर्मकार का नाम यदि पारादीप पोर्ट एंड डाक वह विवाद में स्वयं अंतर्बलित मजदूर यूनियन हो या यदि कोई मध्य प्रश्नगत कर्मकारों का प्रतिनिधित्व करता हो तो उसका नाम:

(4) प्रभावित उपक्रम में 1479
निर्वाचित कर्मकारों की कुल संख्या

(5) विवाद द्वारा प्रभा- 1479
या संभाव्यतः विवाद प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या :

मध्यस्थ अपना पंचाट 30 अगस्त, 1985 या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाए, देंगे। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थ के लिए निर्देश स्वतः रवद् हो जाएगा और हम नए माध्यस्थ के लिए तालीफत करने को स्वतंत्र होंगे।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले ह. —वन्दरास खन्तिया अध्यक्ष, पारादीप पोर्ट स्टेवडोरस एंसांमिणन, पारादीप पोर्ट मूकाम और डाकघर पारादीप पोर्ट, जिला कटक, (उड़ीसा)

कर्मकारों का प्रतिनिधित्व करने वाले पारादीप पोर्ट (उड़ीसा) के सभी स्टेवडोरस/क्लीरिंग और फार्वर्डिंग एजेंट्स/ठेकेदारों की ओर से।
(नियोजकों का प्रतिनिधित्व करने वाले पक्षों के हस्ताक्षर)

ह. —(जी. एम. जेता) अध्यक्ष, पारादीप पोर्ट और डाक मजदूर यूनियन पारादीप पोर्ट।

माक्षी:—

1. ह. —टी. एन. बेहरा
2. ह. —सी. के. महापात्र

मध्यस्थों की सम्मति

तारीख 4 दिसम्बर, 1984 को हुए संराधन समझौते की शर्त 5 के अनुसरण में हम अर्थात् पी. डी. गेजे, मुख्य श्रमायुक्त (केन्द्रीय) और एच. जी. भावे, उप मुख्य श्रमायुक्त (केन्द्रीय) औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन उपर विनिर्दिष्ट समझौते की मदद् 5 में उल्लिखित असूचीबद्ध श्रमिकों को मकान किराया भत्ते की गणि तथा तीन अन्य मांगों से संबंधित विवाद में मध्यस्थों का काम करने के लिए संयुक्त रूप से अपनी सम्मति देते हैं।

ह. —पी. डी. गेजे)
मुख्य श्रमायुक्त
(केन्द्रीय)

ह. —(एच. जी. भावे)
उप मुख्य श्रमायुक्त
(केन्द्रीय)

[एन. 38013/2/85—डिस्क 4(ए)]

के. जे. देव प्रसाद, डिस्क अधिकारी

New Delhi, the 18th March, 1985

ORDER

S.O. 1374.—Whereas an industrial dispute exists between the employers in relation to the Stevedores/Clearing and Forwarding Agents/Contractors and their workmen represented by the President, Paradip Port and Dock Mazdoor Union, Paradip Port.

And whereas, the said employers and their workmen have by written agreement under sub-section (1) of Section 10-A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of Section 10-A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)
BETWEEN

Name of the parties :

1. All C&F Agents/Stevedores/Contractors/Paradip Port Trust, A/P. Paradip Port, Dist. Cuttack, Orissa.
2. Paradip Port and Dock Mazdoor Union, At: Badapadia, PO Paradip Port, Dist. Cuttack, Orissa.

Representing employer :

1. Shri Y. Singh Field Officer The Orissa State Commercial Transport Corporation Ltd.,
2. Shri L. M. Hati, Proprietor, M/s. L. M. Hati & Co.
3. Shri P. K. Hati, Manager, M/s. Orissa Stevedores P. Ltd.
4. Shri Balram Khuntia, Manager, M/s. T. P. Ray Chowdhary and Co. Pvt. Ltd. and President Paradip Port Stevedores Association Paradip Port
5. M/s. Mahimenanda Misra.
6. M/s. J. M. Buxi & Co.
7. M/s. E. C. Bose & Co. Pvt. Ltd.
8. M/s. S. C. Das & Co.,
9. M/s. Roy & Chatterjee & Co.

Representing workmen :

1. Shri G. S. Jena, President, Paradip Port & Dock Mazdoor Union.

It is hereby agreed between the parties to refer the following dispute to the arbitration of S/Shri P. D. Shenoy, Chief Labour Commissioner (Central), H. G. Bhawe, Dy. Chief Labour Commissioner (Central), Shram Shakti Bhawan, New Delhi.

I. Specific matters in dispute :

1. Quantum of house rent allowance to unlisted workers.
2. Payment of wages to unlisted workers in terms of National Wage Settlement dated 4-1-81 and 11-4-81.
3. Method of working out daily wages to unlisted cargo handling workers.
4. Payment of attendance allowance to unlisted cargo handling workers.

II. Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

1. The Orissa State Commercial Transport Corporation Ltd. Stevedores/Contractor/CF Agent P. Port, PO Paradip Port Dist. Cuttack. (Orissa).

2. M/s. L.M.Hati & Co., Stevedores/Contractor at Paradip Port, PO/Paradip Port, Distt. Cuttack (Orissa).

3. M/s. Orissa Stevedores Pvt. Ltd., Contractor/CF Agent/Stevedores at Paradip Port, PO-Paradip Port, Dist. Cuttack (Orissa).

4. M/s. T. P. Ray Chowdhary & Co. (P) Ltd., Stevedores/Contractors/CF Agent at Paradip Port, PO Paradip Port, Dist. Cuttack (Orissa).

5. M/s. Mahimanand Mishra, Stevedores/Contractor/CF Agents at Paradip Port, PO Paradip Port, Dist. Cuttack (Orissa).

6. M/s. J. M. Buxi & Co., Stevedores/Contractors/CF Agents at Paradip Port, PO Paradip Port, Dist. Cuttack (Orissa).

7. M/s. E.C. Bose & Co. (P) Ltd., Stevedores/Contractor/CF Agents at Paradip Port, PO Paradip Port, Dist. Cuttack, Orissa.

8. M/s. S. C. Das & Co., Stevedores/Contractors/CF Agent at Paradip Port, P. Paradip Port, Distt. Cuttack, Orissa.

9. M/s. Roy & Chatterjee & Co. Stevedores/Contractors/CF Agents at Paradip Port, PO Paradip Port, Dist. Cuttack (Orissa).

10. Paradip Port & Dock Mazdoor Union, at Badapadia, PO Paradip Port, Dist. Cuttack (Orissa).

III. Name of the workman in case he himself is involved in the dispute or the name of the union, if any representing the workman or workmen in question.
Paradip Port & Dock Mazdoor Union.

IV. Total number of workmen employed in the undertaking affected—1479.

V. Estimated number of workmen affected or likely to be affected by the dispute—1479.

The arbitrators shall make their award by 30th August, 1985 within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall free to negotiate for fresh arbitration.

Signature of the parties

Representing employer :

Sd/-
(Balram Khuntia)
President.

Paradip Port Stevedores Association,
Paradip Port, at /PO Paradip Port
Dist. Cuttack (Orissa).
On behalf of all Stevedores/C&F
Agents/Contractors or Paradip Port
(Orissa)

Representing workmen :

Sd/-

(G. S. Jena),
President,
Paradip Port & Dock Mazdoor Union,
Paradip Port.
(Signature of the parties
representing employers.)

Witnesses :

1. T. N. Behra
2. C. K. Mohapatra

CONSENT OF THE ARBITRATORS

In pursuance of term 5 of Conciliation Settlement dated 4th December, 1984, we, P. D. Shenoy, Chief Labour Commissioner (Central) and H. G. Bhawe, Deputy Chief Labour Commissioner (Central) do hereby jointly give our consent to act as arbitrators under Section 10-A of the Industrial Disputes Act, 1947 in regard to the issues relating to

Quantum of house rent allowance to enlisted workers and three other issues mentioned in item 5 of the Settlement referred to above.

Sd/-
(H. G. Bhaye),
Dy. Chief Labour Commissioner (C)

Sd/-
(P. D. Shenoy)
Chief Labour Commissioner (C)

[No. L-38013/2/85/D-IV(A)]
K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 18 मार्च, 1985

का. आ. 1375.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, डिब्बीजनल रेलवे मैनेजर नार्दन रेलवे, लखनऊ के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8 मार्च, 1985 को प्राप्त हुआ था।

New Delhi, the 18th March, 1985

S.O. 1375.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Management of Divisional Railway Manager, Northern Railway, Lucknow and their workmen which was received by the Central Government on the 8th March 1985.

BEFORE SHRI R.B. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, KANPUR

I.D. No. 248 of 1983

In the matter of dispute between :

Shri Ram Dularev and others, C/o Shri B.D. Tewari,
Zonal President, Uttar Railway Karamchari Union,
Lucknow.

AND

Divisional Railway Manager, Northern Railway, Lucknow.

AWARD

The Central Government, Ministry of Labour vide order 1-41011/7/83/D.II(B) dated 9th December, 1983 referred the following dispute for adjudication :—

"Whether the action of the management of Divisional Railway Lucknow in not absorbing the 44 employees (whose names are given in annexure) and terminating their services with effect from 15-8-81 is justified? If not, to what relief the workmen concerned are entitled?

ANNEXURE

Sl. No. Name of the Workman

1. Shri Ram Dularey
2. Shri Ram Sabad
3. Shri Ram Lal
4. Shri Ayodhya
5. Shri Gurcharan
6. Shri Sahajram
7. Shri Satgur

8. Shri Ram Manohar
9. Shri Ram Sewak
10. Shri Ram Dularey
11. Shri Ganga Prasad
12. Shri Gaya Prasad
13. Shri Suraj Pal
14. Shri Ram Khilawan
15. Shri Ram Sukh
16. Shri Ram Sewak
17. Shri Gurprasad
18. Shri Suleman
19. Shri Har Prasad
20. Shri Kalideen
21. Shri Parideen
22. Shri Ram Adhar
23. Shri Rmeshwar
24. Shri Ram Samujh
25. Shri Brijlal
26. Shri Ram Pher
27. Shri Deo Nath
28. Shri Shco Darshan
29. Shri Mata Prasad
30. Shri Ram Umiran
31. Shri Ram Bahadur
32. Shri Nankoo
33. Shri Daya Ram
34. Shri Ram Adhar
35. Shri Maikoo
36. Shri Sant Prasad
37. Shri Keshav Ram
38. Shri Abadali
39. Shri Sher Ali
40. Shri Swami Nath
41. Shri Kulloo
42. Shri Henwaribhik Singh
43. Shri Mahngoo
44. Shri Harihar.

All the above 44 workmen had worked under Permanent Way Inspector Nihalgarh, Assistant Engineer, Sultanpur, under the Divisional Railway Manager, Lucknow and General Manager, Northern Railway, Baroda House, New Delhi. They had worked from 1979 onwards from time to time and from 1973 onwards upto 16-8-81 continuously as temporary gangman under the above-mentioned railway authorities. Their services were terminated w.e.f. 16-8-81 without prior notice, notice pay or retrenchment compensation. It is averred that the work in that section is still continuing.

In the industrial dispute raised by the workmen through their Union before the Assistant Labour Commissioner (Central), Allahabad the railway administration admitted that all the 44 workmen had completed more than 240 days each in the preceding year and they also accepted that no notice or notice pay or retrenchment compensation was paid to them.

As the workmen had completed 240 days in one year preceding the date of termination and as no notice pay or retrenchment compensation was paid, their termination was illegal and they are entitled to re-instatement with full back wages and all consequential benefits. Despite notice the management did not file written statement. One of the workmen Shri Ram Dularev filed affidavit evidence on behalf of the workmen and proved the report of the Conciliation Officer, Annexure I, which bears the signature of Assistant Labour

Commissioner (Central), Union representatives and the management representative. In the failure (annexure 1) report, it is mentioned that all the 44 workmen mentioned in the said affidavit worked for more than 240 days during the 12 preceding months.

Sec. 25 of the Industrial Dispute Act lays down :—

"No workman employed in any industry has been in continuous service for not less than one year under any employer shall be retrenched by that employer until the workman has been given notice of one month in writing indicating the reasons for retrenchment and the period of notice has been expired or the workman has been paid in lieu of such notice, wages for the period of the notice."

Sec. 25B of the Industrial Dispute Act defines continuous service as follows:

"For the purpose of this chapter, the workman shall be deemed to be a continuous service under an employer for a period of one year if the workman during a period of 12 calendar months preceding the date with reference to which calculation is to be made had actually worked under the employer for not less than 240 days."

The management had admitted before the Additional Labour Commissioner in Conciliation proceedings that the workmen had worked for more than 240 days during the 12 preceding months; that their services were terminated. In support of their contention the workmen representative had referred me the ruling *Reberti. De. Suja Versus Executive Engineer Southern Railway, 1982 Supreme Court Cases (L & S), Page 121*, wherein it was held :

"Once the case does not fall in any of the excepted categories, the termination of service even if it be according to automatic discharge from service under agreement would none the less be retrenchment within the meaning of the expression of Sec. 2(90)."

It was further held that the test provided in rule 2501 in Chapter 15 of the Indian Railway Establishment Manual is that for the purposes of determining the eligibility of casual labour be treated as temporary, the criterion should be the period of continuous work put in by each individual labour on the same type of work and not the period put in collectively by any particular gang or group of labourers. Therefore, if a person belonging to the category of casual labour employed in the construction work other than work charged projects renders six months continuous service without a break by the operation of statutory rule the person cannot be treated as a temporary Railway Servant after the expiry of six months of continuous employment.

It was further observed that "although a casual labour can be employed in a project irrespective of a duration by virtue of rule 2501 (b)(ii), every construction work does not imply project. Project is correlated to planned projects in which the workman is treated as work charged. Construction Unit is a regular unit all over the Indian Railways. It is a permanent unit and cannot be quoted to project."

The workmen having rendered continuous service for more than 240 days in one calendar year preceding the date of termination and acquired the status of temporary railway servant after uninterrupted service of 6 months i.e. long before the termination of their services and therefore, their services could not have been terminated under 2505. The rule 2302 clearly prescribed the manner and methodology of terminating the service of temporary railway servant and the proceedings therein prescribed have not been carried out. The termination is void and illegal.

In view of the law discussed above and relying on the affidavit evidence of Shri Ram Dularev proving in annexure 1, I hold that the action of the management of the Divisional Railway Manager, Northern Railway, Lucknow in not absorb 44 employees whose names are given in the affidavit to the reference order and terminating their services w.e.f. 15-8-81 is illegal and void and not justified. The result is that all

the 44 workmen are entitled to be re-instated with full back wages and all benefits accruing therefrom.

I, therefore, give my Award accordingly.

Let 6 copies of this award be sent to the Central Government for Publication.

R.B. SRIVASTAVA, Presiding Officer
[No. L-41011(7)83-D.II(B)]

नई दिल्ली, 19 मार्च, 1985

का. अ. 1376.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बियास सतलुज लिंक प्रोजेक्ट, मुन्दर नगर के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुवध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 मार्च 1985 को प्राप्त हुआ था।

New Delhi, the 19th March, 1985

S.O. 1376.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Beas Sutlej Link Project, Sundernagar and their workmen, which was received by the Central Government on the 4th March, 1985.

BEFORE SHRI I.P. VASISTH, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
CHANDIGARH

Case No. I.D. 101 of 1980 (N. Delhi), 43 of 1984 (Chandigarh).

PARTIES :

Employers in relation to the Management of Beas Sutlej Link Project Sunder Nagar;

AND

Their Workman-Surma Singh.

APPEARANCES :

For the Employers : Sh. Narinder Singh.

For the Workman : Sh. M.S. Tegger.

ACTIVITY : B.S.L. Project State-Himachal Pradesh.

AWARD

Dated the 28th February, 1985

The Central Govt. Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, per their Order No. L-42812(18) 79-D.II.B. dated the 20th of September, 1980 read with No. S-11025(9)84-D.IV(B) dated the 26th of October, 1984 referred the following industrial dispute to this Tribunal for adjudication :—

"Whether Sh. Surma Singh, Shovel Operator, Token No. 504-J working as Heavy Shovel Operator at Beas Sutlej Link Project, Sundernagar is entitled to the scale of Rs. 160-400 with effect from 1st July, 1974? If so, to what relief the workman is entitled to?"

2. Brief facts of the case, according to the petitioner-workman, are that he joined as a Beldar in the Respd. Project at Sundernagar from 30-12-1964 and during his service tenure learnt to operate the Shovels. In view thereof the Management promoted him as a Junior Shovel Operator w.e.f. 1-10-73 and then to rank of fullfledged Shovel Operator w.e.f. 1-7-74 since meanwhile he had attained the requisite proficiency. It

was averred that as a part of his duty the petitioner used to operate on various types of Shovels which fell under the category of "Heavy Shovels" to make him eligible for the higher scale in the term of item No. 2.33 of the Common Schedule of Rate as adopted by the Management. The petitioner, therefore, tried to impress upon the Management to grant him the appropriate scale which had since been revised to Rs. 160-400 w.e.f. 1-2-1968.

3. However the Management did not respond favourably to the petitioner's demand despite the intervention of the A.L.C. (C), Chandigarh and hence the Reference.

4. Resisting the proceedings, the Management contended that since the petitioner had gained some technical skill and also shown requisite aptitude and proficiency, therefore, he was promoted from the original post of a Beldar to the rank of Shovel Operator after passing through the channel of a Junior Shovel Operator, moreover he had accepted both these promotions gladly and without any reservation. For the obvious reason it was denied that his duty or job performance entitled him for any higher scale. On the other hand it was pleaded that there were a number of employees who were senior to him in his Trade and that under applicable rules, the promotion could be granted only on the basis of seniority-cum-merit. It was thus propounded that the Management had no occasion to supersede the petitioner's seniors in the matter of promotion so as to consider him for a higher scale, particularly when there was no vacancy.

5. In view of the comprehensive nature of the terms of Reference, my learned predecessor called upon the parties to adduce evidence in support of their respective versions, by his order dated 29-8-1981. Thus on behalf of the petitioner his authorised representative Sh. M. S. Toger examined himself, whereas the Management felt contended with the production of certain documents from their office record.

6. On a careful scrutiny of the entire available data and hearing the parties I am inclined to sustain the Management's view point that the petitioner's claim lacks credibility. The pertinent point is that, in the very nature of things, it was the petitioner alone who could be the best person to elucidate as to on what type of Shovels he was working and as to whether his assignment or job performance entitled him to any higher scale under item No. 2.33 of the Common Schedule of Rates. But for the reason better known to him, shorn of facing the acid test of cross-examination by putting himself in the witness box, the petitioner did no dare even to submit his formal affidavit to project his cause.

7. On the other hand from his own document Exb. W9 it is abundantly clear that he had at least four senior colleagues in his Trade, and it goes without saying that there is not even an iota of evidence before the Tribunal to infer that any one of them was ever found wanting in professional skill, efficiency, qualitywise or otherwise assessed inferior to the petitioner during the discharge of their duties. As a matter of fact, there never arose any occasion for the Management to apply mind in this direction for the simple reason that there was neither any vacancy in the senior scale nor any one of them (including the petitioner) was ever put on a job of higher responsibility.

8. There is another aspect of the issue in the sense that the work on the Respd. Project has since been completed and the entire staff has been retrenched in accordance with law. During his deposition, the petitioner's representative Sh. M.S. Toger conceded that the instant dispute was raised by the R.S.L. Workers' Union which has since ceased to exist; and that the petitioner has even left this land and migrated to some unknown Country in the Gulf; meaning thereby that there is no one to project himself as the recipient of the claimed relief.

9. I therefore, in the totality of the circumstances, do not feel impressed with the petitioner's claim and as such, on rejecting the same return my Award against him i.e. the workman.

I. P. VASISHTH, Presiding Officer
[No. L-42012(18)/79-D.II(B)]

का. आ. 1377.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईएसआईसी, पंजाब एवं हरियाणा के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 मार्च, 1985 को प्राप्त हुआ था।

S.O. 1377.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of ESIC, Punjab & Harayana Region and their workmen, which was received by the Central Government on the 4th March, 1985.

ANNEXURE

BEFORE SHRI I. P. VASISTH, PRESIDING OFFICER
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
CHANDIGARH.

Case No. I.D. 9 of 1984; Chandigarh

PARTIES:

Employers in relation to the Management, ESI, Corporation.

AND

Their Workman—Sh. H. K. Marwaha.

APPEARANCES :

For the Employers : Sh. N.P. Mudgil.

For the Workman : S/Sh. Kundan Lal & Mukhtiar Singh

ACTIVITY : ESI, Corporation.

STATE-Punjab.

AWARD

Dated the 26th February, 1985

The Central Govt., Ministry of Labour, in exercise of the powers conferred on then under Section 10(1)(d) of the Industrial Disputes Act 1947, per their Order No. L-15011(3)/83.D.II(B) dated the 14th of March, 1984, referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Regional Director, ESIC, Punjab & Harayana Region in denying the promotion to Sh. H. K. Marwaha, U.D.C., Cashier to the post of Head Clerk is justified? If not, to what relief is the concerned workman entitled?"

2. Brief facts of the case, according to the petitioner-Workman, are that he was working as a U.D.C.-cum-Cashier in the local office of the ESI, Corporation at Jullunder and was declared eligible for promotion by the Departmental Promotion Committee in its meeting held on 29-11-1980. Accordingly the management promoted him to the next ladder of Manager Grade III/Head Clerk but he could not move to his new place of posting due to some family circumstance and, thus, declined the offer. It was averred that in the next meeting held on 14-5-1982 the Departmental Promotion Committee ignored the petitioner on the ground that meanwhile he had been conveyed the following adverse remarks for the preceding year:—

"He is a bit slow".

3. On behalf of the petitioner his union pleaded that according to the Recruitment Regulation none could be ignored for promotion on the basis of such vague and mild remarks. They, therefore, demanded the petitioner's promotion but finding no worthwhile response, raised an industrial dispute

which, however defied an amicable settlement despite the intervention of the Conciliation machinery hence the Reference.

4. Resisting the proceedings, the Management replied that the petitioner was offered promotion not once but many times, albeit the orders had to be withdrawn since he always refused to accept the offer for no justifiable reason. Citing instances, they disclosed that he was given promotion vide order No. 857 of 1980 dated 1-12-1980 which had to be cancelled vide their No. 895 of 1980 dated 10-12-1980; he was again promoted vide order No. 469 of 1981 dated 16-7-1981 which was cancelled on 5-7-1981 per their o. 496 of 1981 because of his refusal to accept the offer. The Departmental Promotion Committee re-considered his case for promotion on two other occasions on 14-5-1982 and 21-12-1982 but found him unfit on merit. It was propounded that according to regulation No. 18 of ESIC Recruitment Regulations of 1965, promotions could be granted only on the recommendations of the aforesaid Committee on the basis of merit-cum-seniority.

5. Be that as it may, the petitioner was lastly offered promotion vide their Order No. 270 of 1983 dated 4-8-1983 but once again he declined the offer thus forcing them to cancel the same per their Order No. 281 of 1983 dated 12-8-1983.

6. Since the parties' pleadings were found to be fully covered under the terms of reference, therefore, they were called upon to adduce evidence in support of their respective versions. Thus the petitioner examined himself whereas the Management relied on a number of documents besides the affidavit of their Deputy Regional Director Sh. N. P. Moundgil.

7. On a careful scrutiny of the entire available data and hearing the parties; I am not inclined to sustain the petitioner's cause because on an overall assessment, to me it appears that he wanted to avail of the promotion on his own terms, and did not want to move out from his present place of posting in any circumstance. Under the weight of oath, in his cross-examination as WW1, he admitted the authenticity and genuineness of the relevant Orders Ex. M1 to M5 perusal of which should leave no manner of doubt that he was offered promotion on 3 different occasions i.e. in the year 1980, 1981 and 1983 but every time he declined to accept it due to his reluctance to move out of Jalandhar. In the Claim statement it was propounded that the petitioner had some domestic problems to move out of his present station but significantly enough during the course of his own sworn depositions before this Tribunal, he did not like to throw any light on this aspect of the issue, it therefore, follows that the petitioner had no worthwhile explanation to offer and, as such was not a benefitting proposition, for any indulgence.

8. I, therefore, find no worthwhile reason to fault the impugned action of the Management in denying him the promotion particularly when he was not even recommended by the Departmental Promotion Committee.

9. Accordingly, on rejecting his claim, I return my Award in favour of the Management.

I. P. VASISHTH, Presiding Officer
[No. L-15011(3)/83-D.II(B)]

Chandigarh.
Dated 26-2-1975

का. आ. 1378.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार, अम्बाला कैंटोमेंट बोर्ड के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 मार्च 1985 को प्राप्त हुआ था।

S.O. 1378.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh as shown in the Anne-

xure in the industrial dispute between the employers in relation to the Management of Ambala Cantonment Board and their workmen, which was received by the Central Government on the 4th March, 1985.

BEFORE SHRI I.P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL,
CHANDIGARH.

Case No. I.D. 228 of 1983 (N. Delhi) 40 of 1984
(Chandigarh)

PARTIES :

Employers in relation to the Management of Cantonment Board, Ambala.

AND

Their Workman :

APPEARANCES :

For the Employers : Sh. S. C. Bhatnagar

For the Workman : Sh. S.D. Bakshi.

ACTIVITY : Cantonment Board. STATE : Haryana

AWARD

Dated the 27th of Feb., 1985

The Central Govt., Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Dispute Act 1947, per their Order No. L-23011 (2)/82-D.II(B) dated the 16th of September, 1983 read with No. L-11035 (2)/84-D.IV(B) dated the 26th of October, 1984 referred the following Industrial dispute to this Tribunal for adjudication:—

"Whether the demand of the workmen that all these who are supplied uniforms be paid washing allowance is justified? If so, at what rate and from what date?"

2. Brief facts of the case, according to the petitioner-workmen, are that they are the employees of the Respd. Board and their service conditions are governed by the Memorandum of Settlement dated 13-5-1969 which obliges the Respd. Board to treat them at par with the State Government employees at the district level, in the matters concerning pay and allowances etc. It was pleaded that the Respd. Board is situated in District Ambala which falls within the territorial jurisdiction of the State of Haryana and that the latter was paying washing Allowance to its Class IV employees @ Rs. 5 per month since 1-2-1969 but for no justifiable reason the Respd. Board was withholding the same. The petitioners, therefore, raised a demand for the appropriate relief and finding the Respd. Board unresponsive, took up the issue to the Conciliation machinery also. However, no amicable settlement could be arrived at despite the intervention of the concerned Authority hence the Reference.

3. Resisting the proceedings, the Respd. Board denied that the State of Haryana was paying any Washing Allowance to its employees which could be granted to the petitioners. All the same it was conceded that otherwise the Board was under an obligation to follow the Haryana pattern in the matters concerning the payment of salary and allowances to its employees.

4. Since the parties pleadings were found to be fully covered under the terms of reference, therefore, they were straight away called upon to adduce evidence in support of their respective versions, without feeling the necessity of framing any formal issues. Thus, the petitioners examined their General Secretary, Sh. J.D. Bakshi whereas the Respd. Board produced their office supt. Sh. Jagan Nath. Of course, certain documents of the admitted nature were also placed on record.

5. On a careful scrutiny of the entire available data and hearing the parties I am inclined to sustain the petitioners' cause in its pith and substance because there is no rebuttal to the contents of Haryana Govt. Circular No. 4-1-82-2P, dated Chandigarh the 9th March 1984 issued by the Commissioner and Secretary to Govt. of Haryana, Printing and Stationery Department to all Heads of the Departments (Ex. W3) on

convenience with the Finance Department granting Washing Allowance @ Rs. 5 per month to its Class IV employees w.e.f. 1st June, 1984 with the stipulation that the concerned employee should be insisted upon to be in Uniform regularly otherwise he was liable to forfeit the facility. In the same sequence a reference may also be pertinent to letter Ex. W4 dated 24-1-1985 issued by the Director General Defence Land and Cantonments to the various Cantonment Boards impressing upon them the desirability of giving Washing Allowance to the concerned employees. All the same one can not possibly overlook the petitioners failure to adduce any evidence regarding their entitlement to such allowance for the period preceding 1-5-1984.

6. Accordingly on partially sustaining the petitioners' cause, I return my Award with a direction to the Respdt. Board to grant them the Washing Allowance @Rs. 5 per month w.e.f. 1-5-1984 in the light of the above noted Haryana Govt. Circular Ex. W3.

Chandigarh

27-2-1985.

I.P. VASISHTH, Presiding Officer

[No. L-13011(2)/82-D.II(B)]

का. आ. 1379.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्जन में, केन्द्रीय सरकार सफदरजंग हस्पताल के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8 मार्च 1985 को प्राप्त हुआ था।

S.O. 1379.—In pursuance of the section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Safdarjung Hospital and their workmen, which was received by the Central Government on the 8th March, 1985.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW
DELHI

I.D. No. 232/83.

In the matter of dispute between :

Shri Chatter Singh S/o Shri Pokhar, r/o 237,
Block No. 1, J. J. Colony, Wazirpur, New Delhi.

Versus

The Medical Officer, Safdarjung Hospital,
New Delhi.

APPEARANCES :

Shri A. S. Tokas—for the Management.

Shri S. K. Gupta—for the workman.

AWARD

Central Government, Ministry of Labour on 5th October, 83 vide No. L-42012(1)/83-D. II(B) made reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Safdarjung Hospital, New Delhi in terminating the services of Shri Chatter Singh, Sweeper w.e.f. 26-12-1975 is legal and justified. If not to what relief the workman is entitled."

2. Shri Chatter Singh was appointed as Sweeper in the Safdarjung Hospital temporarily on 25-1-63. His services were terminated on 26-12-73 under Rule 5 of C.C.S. (Temporary Service) Rules, 1965.

3. The workman pleaded that his record of service was unblemished and that his services were terminated perversely and mala fide and against the principles of natural justice and canons of industrial law were not followed and his legal dues were not paid to him and has no opportunity of showing cause against the proposed action.

4. Specific mention is made to the fact that by notice dated 26-11-75 it was mentioned in the notice that his services were stand terminated w.e.f. date of the expiry of one month from that day i.e. 26-11-75 itself. His services were terminated by subsequent letter from the same day. This was said to be unfair, illegal and completely mala fide. He claimed reinstatement with full-back-wages and continuity of service.

5. The applicant was said to be not a 'workman' as the term is defined in section 2(s) of the I.D. Act, 47 and the Management-Hospital was said to be not an 'industry' as defined in section 2(j) of the I.D. Act, 47. On merits it was pleaded that Shri Chatter Singh was an temporary Sweeper and his work and conduct were not satisfactory and he was often absent from duty and services of Sweeper were essential in hospital and frequent absence on duty resulted inconvenience to general public and put the Management in difficulty in maintaining proper cleanliness in the hospital premises and the services were terminated bona fide.

6. The matter has been tried. Shri P. S. Srinivasan Chief, Administrative Officer, Safdarjung Hospital gave his affidavit and the workman filed his own affidavit.

7. The statement filed and the evidence led has been examined.

8. There is no doubt about the fact and it is in the affidavit of Mr P. S. Srinivasan that the provisions of CCS(S) Rules, 65 were applicable to the claimant Chatter Singh because Safdarjung Hospital is a Government Institution. The question is whether in that situation the termination of service was valid or not.

9. Full Bench of Patna High Court in B. K. Bharti Vs. State of Bihar reported in 1983 Lab. I. C. 1884 formulated the view that the fact of an employee being a civil servant did not, *in fact*, deny the applicability of Industrial Disputes Act, 47 but rules specifically dealing with a particular point could well exclude the applicability of particular provisions of I.D. Act, 47.

10. In Director of Postage Services Vs. K. R. B. Camel and others decided on 23-12-83 in W. A. No. 47 of 1976 and referred to in NOC 214 in AIR 1984 June Part it was ruled that the I.D. Act, 47 Chapter VA did not apply to temporary government servants to whom Rule 5 of C.C.S. (Temporary Service) Rules, 1965 apply.

11. In the situation aforesaid the workman was a Govt. Servant to whom section 5 of CCS (TS) Rules 65 apply and he had not been declared quasi-permanent. The provisions of section 5 of the said rules are as under:

"Termination of Temporary Service.

5. (1)(a) The services of a temporary Government servant who is not in quasi-permanent service shall be liable to termination at any time by a notice in writing given either by the Government servant to the appointing authority or by the appointing authority to the Government servant;

(b) the period of such notice shall be one month;

Provided that the service of any such Government servant may be terminated forthwith (and on such termination the Government servant shall be entitled to claim) a sum equivalent to the amount of his pay plus allowances for the period

of the notice at the same rates at which he was drawing them immediately before the termination of his services, or, as the case may be, for the period by which such notice falls short of one month."

12. The proviso to this rule quoted above mentions that in case of service having been terminated forthwith without writing for notice period the only right of the government servant is to claim the sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services, or, as the case may be, for the period by which such notice falls short of one month and no other relief is permissible to him.

13. In this matter, the termination of services of this workman by the Safdarjung Hospital cannot be said to be invalid. If he wants to claim the wages for the notice-period, he can do so by application in the Labour Court but the order of termination of service is legal and justified under

the provisions of section 5 C.C.S. (TS) Rules 65 and this Industrial Tribunal cannot interfere with the same.

14. On facts, the management issued several memos and warnings issued to him and his absence on duty which furnish a ground for the management to take action under the CCS(TS) Rules 1965 and the action does not appear to be otherwise than bona fide. Accordingly, the workman is not entitled to any relief and the action of the Management is held justified.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central government for necessary action at their end.

March 4, 1985.

O. P. SINGHA, Presiding Officer

[No. 1-42012(1)/83-D.II(B)]

HARI SINGH, Desk Officer